IN RE: PETITION FOR SPECIAL EXCEPTION

S/S Winands Road, 270' E of the

c/l of Offutt Road * DEPUTY ZONING COMMISSIONER

BEFORE THE

(9127 Winands Road)
2nd Election District
2nd Councilmanic District

nd Election District * OF BALTIMORE COUNTY

* Case No. 97-34-X

Luis F. George and Mary H.

Mitchell, Legal Owners; and *

Patricia E. Lewis, D.D.S., Contract Lessee

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 9127 Winands Road, located in the vicinity of Offutt Road and the Sunset Ridge Community in Randallstown. The Petition was filed by the owners of the property, Luis F. George and Mary H. Mitchell, and the Contract Lessee, Patricia E. Lewis, D.D.S. The Petitioners seek a special exception to permit a dental office within a residential dwelling, in accordance with the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Luis George, owner of the property, Dr. Patricia Lewis, Contract Lessee, and Kevin White, Professional Engineer who prepared the site plan for this property. Appearing in opposition to the request was Mr. Andrei Stewart, President of the Sunset Ridge Community Association.

Testimony and evidence offered revealed that the subject property consists of 0.551 acres, more or less, zoned D.R. 3.5 and is improved with a large, two-story frame dwelling, and attached two-car garage. Dr. Lewis testified that she has been a dentist since 1981 and until two weeks ago, had operated her dental practice from a location in south Baltimore for the past 13 years. Dr. Lewis recently leased the subject property from Mr.

ORDER RECEIVED FOR FILING

George and Ms. Mitchell and would like to relocate her practice to the subject site.

Appearing in opposition to the Petitioners' request was Andrei Stewart. Mr. Stewart introduced as Protestant's Exhibit 1 a Petition of Opposition which had been signed by many of the residents of the Sunset Ridge Community. He also submitted as Protestant's Exhibit 2, a map of the neighborhood and as Protestant's Exhibit 3, photographs of several of the houses within that neighborhood. Mr. Stewart testified that he and the community are opposed to Dr. Lewis establishing a dental practice at the subject location. The neighborhood is opposed to a commercial operation taking place in their residential neighborhood and the traffic and parking problems that would be generated by the proposed use. Mr. Stewart expressed their further concerns over the storage of drugs and syringes that are kept on the premises and used in conjunction with the dental practice. They are also concerned over the disposal of the medical waste generated by virtue of a dental practice.

Mr. Stewart further testified that they are experiencing problems with students who attend Randallstown High School who loiter in their neighborhood and fear that allowing a dental practice to exist in the neighborhood would give those students an excuse to loiter in that they could say they were waiting for a dental appointment. The association is strongly opposed to the granting of any special exception relief.

It should also be noted that several comments were submitted from the various Baltimore County reviewing agencies. In particular, the Office of Planning submitted a comment dated August 28, 1996 wherein they recommend denial of the special exception request. The Planning Office is opposed to the special exception in that they believe the operation of a

dental practice at the subject location would have an adverse impact on the surrounding residential community.

After reviewing all of the testimony and evidence presented by the Petitioners as well as Mr. Stewart, and in consideration of the comments submitted by the Office of Planning, I am persuaded to deny the special exception request.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will be detrimental to the health, safety, or general welfare of the locality, and will tend to create congestion in roads, streets, or alleys therein. It will be inconsistent with the purposes of the property's zoning classification, and inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, it appears that the requirements of Section 502.1 have not been met and that the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception should be denied.

ORDER RECEIVED FOR FILING
Oate
By

TMK:bjs

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this ______ day of September, 1996 that the Petition for Special Exception to permit a dental office within a residential dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

- 4-

1.

IN THE MATTER OF THE APPLICATION OF LUIS F. GEORGE AND MARY H. MITCHELL -LEGAL OWNERS; AND PATRICIA E. LEWIS, DDS -CONTRACT LESSEE /PETITIONERS FOR A SPECIAL EXCEPTION ON PROPERTY LOCATED ON THE SOUTH SIDE WINANDS ROAD, 270' EAST OF OFFUTT RD (9127 OFFUTT RD) 2ND ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT

- BEFORE THE
- COUNTY BOARD OF APPEALS
- OF
- BALTIMORE COUNTY
 - CASE NO. 97-34-X

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner dated September 11, 1996 in which the Petition for Special Exception was denied.

WHEREAS, the Board is in receipt of a letter of dismissal filed by Francis X. Borgerding, Jr., Esquire, Counsel for Appellants /Petitioners, dated March 5, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellants requests that the appeal filed in this matter be dismissed as of March 5, 1997;

IT IS HEREBY ORDERED this 12th day of March, 1997 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

FRANCIS X. BORGERDING, JR.

Attorney at Law

MERCANTILE-TOWSON BLDG - SUITE 600 409 WASHINGTON AVE. TOWSON, MD 21204 OFFICE (410) 296-6820 TELEFAX (410) 296-6884

Member of Maryland and District of Columbia Bar

March 5, 1997

County Board of Appeals of Baltimore County Old Court House, Room 49 400 Washington Avenue Towson, Maryland 21204

RE: Case No.: 97-34-X

In the Matter of Luis F. George and Mary H. Mitchell, Legal Owners; and

Patricia E. Lewis, D.D.S., Contract Lessee

9127 Winands Road

Randallstown, Maryland 21117

Second Election District; Second Councilmanic

District

Gentlemen/Ladies:

This correspondence is being written on behalf of the Appellants/Petitioners to request a dismissal of the above-referenced appeal now set for hearing on Thursday, March 13, 1997 at 10:00 A.M.

Thank you very much for your cooperation with regard to this matter.

Very truly yours,

FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Patricia E. Lewis, D.D.S.

Luis F. George and Mary H. Mitchell

J. Carroll Holzer, Esquire

. . - - 1



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

March 12, 1997

Francis X. Borgerding, Jr., Esquire
DiNENNA AND BRESCHI
Suite 600
Mercantile-Towson Building
409 Washington Avenue
Towson, MD 21204

RE: Case No. 97-34-X

Patricia E. Lewis, DDS, et al

Ita E. Radelyfe

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Dear Mr. Borgerding:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco Legal Administrator

encl.

CC: Patricia E. Lewis, DDS
Luis F. George and Mary H. Mitchell
J. Kevin Wight /Hicks Engineering Co.
J. Carroll Holzer, Esquire
Andrei Stewart, President /Sunset Ridge Comm Assn
Dr. Paul Dubansky
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

10-11-117

PETITION FOR SPECIAL IN RE:

EXCEPTION S/S Winands

Road, 270'E of the

c/1 of Offutt Road

(9127 Winands Road) 2nd Election District

2nd Councilmanic

District

Luis F. George and Mary H. Mitchell,

Patricia E. Lewis, D.D.S., Contract

Lessee

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No.: 97-34-X

Legal Owners; and

NOTICE OF APPEAL

Please enter an appeal to the Board of Appeals of Baltimore County, on behalf of Patricia E. Lewis, D.D.S. and Luis F. George and Mary H. Mitchell, from the September 11, 1996 decision of the Deputy Zoning Commissioner for Baltimore County in the abovecaptioned case.

FRANCIS X. BORGERDING JR 409 Washington Avenue, Suite 600

Towson, Maryland 21204

(410) 296-6820

Attorney for Patricia E. Lewis, D.D.S. and Luis F. George and Mary H.

Mitchell

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8^m day of Atla 1996, a copy of the aforegoing was mailed, postage prepaid, to:

Mr. Andrei Stewart, President Sunset Ridge Community Association, Inc. 3681 Offutt Road P. O. Box 118 Randallstown, Maryland 21133

Peter Max Zimmerman, Esquire Room 47 Court House 400 Washington Avenue Towson, Maryland 21204

PRANCIS X. BORGERDING

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

September 11, 1996

(410) 887-4386

Mr. Luis F. George
Ms. Mary H. Mitchell
Dr. Patricia E. Lewis
9127 Winands Road
Owings Mills, Maryland 21117

RE: PETITION FOR SPECIAL EXCEPTION

S/S Winands Road, 270' E of the c/l of Offutt Road

(9127 Winands Road)

2nd Election District - 2nd Councilmanic District

Luis F. George and Mary H. Mitchell, Legal Owners; and

Patricia E. Lewis, D.D.S., Contract Lessee

Case No. 97-34-X

Dear Mr. George, Ms. Mitchell & Dr. Lewis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

unthey lotroco

for Baltimore County

TMK:bjs

cc: Mr. J. Kevin Wight, Hicks Engineering Company 200 E. Joppa Road, Suite 402, Towson, Md. 21286

Mr. Andrei Stewart, President, Sunset Ridge Comm. Assoc., Inc. 3681 Offutt Road, P.O. Bøx 118, Randallstown, Md. 21133

People's Counsel; Case File

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
9127 Winands Road, S/S Winands Road,
270'+/- E of c/l Offutt Road * ZONING COMMISSIONER
2nd Election District, 2nd Councilmanic

* OF BALTIMORE COUNTY
Legal Owners: Luis George and Mary Mitchell
Contract Purchaser/Lessee: Patricia E. * CASE NO. 97-34-X
Lewis, D.D.S.
Petitioners *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to J. Kevin Wight, 200 E. Joppa Road, Suite 402, Towson, MD 21286, representative for Petitioners.

PETER MAX ZIMMERMAN



er Mart Timmerman



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

which is presently zoned D. R3.5 The which is presently zoned D. R3.5 The undesigned, legal coverage of the property altate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby pelition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for A dental office within a Residential Dwelling. Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay experiese of above Special Exception advertising, posting, etc., upon filing of this pelition, and further agree to and no to be bound by the zoning regulations and restrictions of Baltimore County, adopted pursuant to the Zoning Law for Baltimore County. If the description of the property valid for a burning of the pelition, and further agree to and no to be bound by the zoning regulations and restrictions of Baltimore County, adopted pursuant to the Zoning to the pelition, and further agree to and no to be bound by the zoning regulations and restrictions of Baltimore County, and pelitic pelition, and further agree to and no to be bound by the zoning regulations and restrictions of Baltimore County, and pelitic pelition, and further agree to and no to be bound by the zoning regulations and restrictions of Baltimore County, the pelitic		for the propert	·	9127 Winands Road	
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Contract Purchaser/Lessee: Patricia E. Lewis, D.D.S. Patricia E. Lewis, D.D.S. Signature 9127 Winands Road doi:ess Owings Mills, MD 21133 Day State Signature Phone No Owings Mills, MD 21133 City State Phone No Owings Mills, MD 21133 City Address and phone number of representative to be contacted J. Kevin Wight Name 200 E. Joppa Road, Suite 402 (410) -494- Address Towson, MD 21286 Phone No Office Use Only ESTIMATEO LENGTH OF HEARING OTHER REVIEWED BY: DATE 7/23/96	I, or we, ag	ree to pay expenses of above S	pecial Exception advertisis	ng, posting, etc., upon filing of this petition, and furth	er agree to and Itimore County.
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Type of Print Name) 9127 Winands Road Mary H. Mitchell (Type of Print Name) Owings Mills, MD 21133 Signature 9127 Winands Road 9127 Winands Road Owings Mills, MD 21133 Signature Owings Mills, MD 21133 Owings Mills, MD 21133 Oliv State Owings Mills, MD 21133 Oliv Name, Address and phone number of representative to be contacted J. Kevin Wight Name 200 E. Joppa Road, Suite 402 (410)-494- Address Towson, MD 21286 Phone No Orice Use ONLY ESTIMATED LENGTH OF HEARTHY BY DAYE 7/23/96	Contract Purcha	iser/Lessee:		Legal Owner(s):	
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ZONING DESCRIPTION

77-34-X

BEGINNING at a point on the south side of Winands Road which is 70 feet wide at the distance of 270 feet, more or less, east of the center-line of Offutt Road which is 70 feet wide. Thence the following courses and distances:

- 1) South 06°06'29" East, 138.57 feet,
- 2) South 18°52'04" West, 40.49 feet,
- 3) South 01°19'10" West, 121.07 feet,
- 4) South 88°40'50" East, 12.00 feet,
- 5) North 01°19'10" East, 120.00 feet,
- 6) North 88°46'01" East, 114.39 feet,
- 7) North 11°43'28" East, 76.07 feet,
- 8) North 01°41'59" West, 95.01 feet,
- 9) Curve to the right R = 835.00 feet, L = 140.90 feet to the place of beginning as recorded in deed Liber 10890, Folio 132.

BEING Lot No. 65 in the subdivision of "Sunset Ridge" (Plat Two) as recorded in Baltimore County Plat Book S.M. No. 63, Folio 136 and containing 0.551 acres of land. Also known as 9127 Winands Road and located in the Second Election District of Baltimore County, Maryland.

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CERTIFICATE OF STING

Posted for: Special Exception. Posted for: Special Exception. Petitioner: Luis E George & Mony H. M. Tokall Location of property. IIII Winder St. 188. Location of Signa Tecinica, The Sweet St. Insperty George Powers. Remarks: Remarks: Posted by Manuale Prosted by Manuale Special Signa: The Sweet St. Insperty Base of return: IIIIII	ZONING DEPARTMENT OF BALTIMO
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Case 197.34 X
(Item 30)
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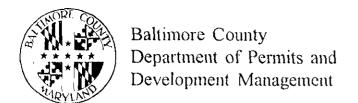
CERTIFICATE OF PUBLICATION

TOWSON, MD.,	
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8/149 August 8 C72812



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 30 Petitioner: PATRICIA E. LEWIS, D.D.S.
Location: 9127 WINANDS ROAD
PLEASE FORWARD ADVERTISING BILL TO:
NAME: PATRICIA E. LEWIS, D.D.S.
ADDRESS: 9127 WINANDS ROAD
OWNOS MILLS, MD. 21133
PHONE NUMBER: (410) 355-6811

npany Petition for Zoning∐Va	riance Special Hearing
Subdivision name:	
	Vicinity Map
	LOCATION INFORMATION
	Election District: Councilmanic District:
	f'=200' scale map#: Zoning: Lot size: acreage square feet
	SEWER: C
	Chesapeake Bay Critical Area: [] [] Prior Zoning Hearings:
North	Zaning Office USE ONLY!
prepared by: Scale of Drawing: 1'=	

CERTIFICATE OF POSTING

	RE: Case No.: 97-347
	Petitioner/Developer:
	Luis & dary Mitchell
	Date of Hearing/Closing:
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
•	of perjury that the necessary sign(s) required by law y located at
The sign(s) were posted on	1-21-96
Mak	(Month, Day, Year)
M FROM BEIGHTSON	Sincerely,
The person of the party of the	(Signature of Sign Poster and Date) (Printed Name)
	(City, State, Zip Code)
	(Telephone Number)

9/96 cert.doc

CERTIFICATE F POSTING

	RE : Case No.: $97 - 39 - x$
	Petitioner/Developer:
	Date of Hearing/Closing:
altimore County Department of ermits and Development Managounty Office Building, Room 1 1 West Chesapeake Avenue owson, MD 21204	gement
ttention: Ms. Gwendolyn Steph	nens
adies and Gentlemen:	
his letter is to certify under the	penalties of perjury that the necessary sign(s) required by law
	e property located at
ore period compredently on the	e property located at
he sign(s) were posted on	1 - 24 - 97 (Reposted
	(Month, Day, Year)
	Sincerely, Dan Hay
	(Signature of Sign Poster and Date)
	DAVID J. MAYCOR
	(Printed Name)
	3351 FLICKINGER RD
•	(Address)
	(City, State, Zip Code)
	410-848-6620
	(Telephone Number)

9/96 cert.doc

ALTIM COUNTY, MARYLAND DEFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	-
DATE 10/15/96 ACCOUNT R-001-6150	
AMOUNT \$ 285.00	
RECEIVED FRANCIS X BARGER LING, JR.	
FOR: Appeal # 97-34/X	
or Acided 1 38M CHRC \$2	es.00
VALIDATION OR SIGNATURE OF CASHIER	1248
STRIBUTION HITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	The state of the s
BALTIM COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	026008
DATE 10/15/96 ACCOUNT 1-001-61	50
AMOUNT \$ 285.00	
RECEIVED FRANCIS X. Borgarding, UR	1
Appeal #97-34-X	
OLAOOROL38MICHRC	\$285.00
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TO: PUTUXENT PUBLISHING COMPANY
August 8, 1996 Issue - Jeffersonian

Please foward billing to:

Patricia E. Lewis, D.D.s. 9127 Winands Road Owings Mills, Maryland 21133 355-6811

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-34-X (Item 30)

9127 Winands Road

S/S Winands Road, 270'+/- E of c/l Offutt Road

2nd Election District - 2nd Councilmanic

Legal Owner(s): Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

The second

BALTIMORE COUNTY LIQUOR BOARD

January 24, Page 7 of 9

HEARINGS

Court Reporter:

Other:

Name and Address

Class

3:00 p.m. SHOW CAUSE A(BWL)

Time

Remarks

Hearing to Show Cause Why License Should Not be Suspended or Revoked Due to Alleged Violations.

ARTICLE 2B - Annotated Code of ild.

Section 69. Section 70. Section 118 Causes Procedure Sales to Minors and

DISTRICT (14)

Massey

Baltimore, MD 21236

t/a Putty Hill Liquors 7938 Belair Road PUTTY HILL LIQUORS, INC.

Kyong Hwan Lee Chil Sung Lee

RULES AND REGULATIONS OF THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE COUNTY. Prohibited. Intoxicated Persons

RULE 28 -NO SALES TO MINORS

Attorney:

A in

Ĵ



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

August 2, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-34-X (Item 30)

9127 Winands Road

S/S Winands Road, 270'+/- E of c/l Offutt Road

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Special Exception for a dental office within a residential dwelling.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon

Director

cc:

Luis F. George and Mary H. Mitchell

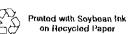
J. Kevin Wight

Patricia E. Lewis, D.D.S.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





case No. 97 34 x

Luis F. George and Mary H. Milchell — Legal Owners

Palricia F. Lewis, D.D.S. — Confract Messee

Sis Winams Road, 270% F of the cir of Offut Boad

19127 Winams Road).

2nd Election District

(see attached copy of Mappealed: 107/10796

vicinity map)



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

December 13, 1996

NOTICE OF ASSIGNMENT

CASE #: 97-34-X

IN MATTER OF: LUIS F. GEORGE AND MARY H. MITCHELL Legal Owners; and PATRICIA E. LEWIS, D.D.S. Contract Lessee 9127 Winands Road
Randallstown, MD 21117
2nd Election District; 2nd Councilmanic
(Petition for Special Exception DENIED.)

ASSIGNED FOR: THURSDAY, MARCH 13, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco Legal Administrator

cc: Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq. Appellants /Petitioners: Patricia E. Lewis, D.D.S.
Luis F. George and Mary H. Mitchell

J. Kevin Wight /Hicks Engineering Co.

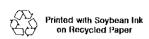
Counsel for Protestants:

Protestants:

Andrei Stewart, President
Sunset Ridge Community Assn.

Dr. Paul Dubansky

People's Counsel for Baltimore County
Pat Keller Arnold Jablon, Director /PDM
Lawrence E. Schmidt Virginia W. Barnhart, Co Atty



Milan

Case No. 97-34-x

Luis F. George and Mary H. Mitchell Regal Owners
Patricla E. Lewis, D.D.S. - Confract Lessee
S/s Winands Road, 270° E of the C/1 of Offut Boad
(1912) Winands Road

2nd Election District

See attached copy of
Vicinity map)



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

August 29, 1996

Mr. and Mrs. Luis George 9127 Winands Road Owings Mills, MD 21133

RE: Item No.: 30

Case No.: 97-34-X

Petitioner: Luis George, et ux

Dear Mr. and Mrs. George:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)



CONNIA OFFICE BUILDING DEPARTMENT OF PERMITS & LICENSES BALTIMORE COUNTY, MARYLAND COIN OBERFALED FWISEMENT DEVICE APPLICATION

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NA.	PICENSE AE	, MARYLAND 21204 813-788	NOSMOJ.	N DATE	APPLICATION

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: August 9, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for August 12, 1996

Item No. 030

The Development Plans Review Division has reviewed the subject zoning item. The parking should be buffered from the adjacent residences. An adequate on-site maneuvering area must be provided.

RWB:HJO:jrb

cc: File

Copy of comment forwarded to Compssioner. J. L. 8/28/91

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon,	Director, PDM	DATE:	August	28,	1996
FROM: Arnold F. "P	at" Keller, III, Director, OP				
SUBJECT: 9127 Wina	nds Road				
INFORMATION:					
Item Number:	30				
Petitioner:	George Property				
Property Size:					
Zoning:	DR 3.5			···	
Requested Action:					
Hearing Date:					
SUMMARY OF RECOMMEN	DATIONS:				

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

Division Chief:

AFK/JL/1w

ITEM30/PZONE/ZAC1

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 08/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 05, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:26,27,28,29,30,81,32,34,35,36,37,38,39 AND 41.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean tak on Recycled Paper Light and a light wind



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT **TOWSON, MARYLAND 21204**

PLUMBING PERMIT

BUILDINGS ENGINEER

PERMIT 4: P280036

CONTROL 4: 280036

DIST: 11

PREC: 00

BUILDING PERMIT #:

TAX ACCT #: 1116003000 DATE ISSUED: 08/08/96

SEWAGE DISPOSAL: METRO TYPE OF BUILDING: SFD

RECEIPT #: A309852

OLD OR NEW (O OR N): OLD

APPLICANT INFORMATION

NAME: ROBERT H RUETER

COMPANY: STATE MECHANICAL CONTRACTOR

ADDR1:

6401 HARFORD RD

ADDR2:

21214

PHONE #: 426 8800

LICENSE #: MP649

OWNERS INFORMATION

NAME: ROBERTSON, ROBERT

ADDR:

LOCATION OF PROPERTY: 5417 FORGE RD

SUBDIVISION: FORGE ACRES

LOT #:

BLOCK:

SECTION:

TOWN OR VICINITY: PERRY HALL

NO. OF GAS METERS:

WATER

FURNACE

SIZE OF

GAS PERMIT:

RANCE:

HEATER

OTHERS

PIFE

BTU

ETU BTU BTU

CAUTION: PLASTIC WATER SERVICE LINES WILL REQUIRE A REVIEW OF THE ELEC-TRICAL SYSTEM TO ASSURE PROPER GROUND. CONTACT AN ELECTRICAL CONTRACTOR.

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DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: ap8,91

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee Meeting Date: (Ly 5, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

36

46

RBS:sp

BRUCE2/DEPRM/TXTSBP



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT TOWSON, MARYLAND 21204

DIRECTOR

BUILDINGS ENGINEER



David L. Winstead Secretary Hal Kassoff Administrator

8-5-96

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204 HE: Baltimore County Item No. 030 (TRF)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

Ronald Burns, Chief

Engineering Access Permits

Division

BS

MARYLAND BALTIMORE COUNTY,

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM August 28, 1996 DATE: FROM: Arnold F. "Pat" Keller, III, Director, OP SUBJECT: 9127 Winands Road INFORMATION: Item Number: 30 Petitioner: George Property Property Size: Zoning: Requested Action: Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

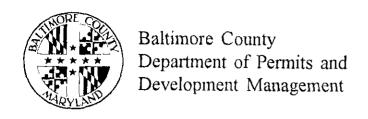
Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

Prepared by:

Division Chief:

ITEM30/PZONE/ZAC1

AFK/JL/1w



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

October 15, 1996

Mr. J. Kevin Wight Hicks Engineering Company 200 E. Joppa Road, Suite 402 Towson, MD 21286

RE: Petition for Special
Exception
S/S Winands Road, 270' E
of the c/l of Offut Road
(9127 Winands Road)
2nd Election District
2nd Councilmanic District
Luis F. George and Mary
H. Mitchell - Legal Owners
Patricia E. Lewis, D.D.S.
- Contract Lessee
Case No. 97-34-X

Dear Mr. Wight:

Please be advised that an appeal of the above-referenced case was filed in this office on October 10, 1996 by Francis X. Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, D.D.S., Luis R. George and Mary H. Mitchell. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely.

ARNOLD JABLO

Director

AJ:rye

c: Mr. Andrei Stewart People's Counsel 3:41.2 21 400 96

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Petition for Special Exception S/S Winands Road, 270' E of the c/l of Offutt Road (9127 Winands Road)

2nd Election District - 2nd Councilmanic District Luis F. George and Mary H. Mitchell - Legal Owners Patricia E. Lewis, D.D.S. - Contract Lessee Case No. 97-34-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners' Exhibit: 1 - Plan to Accompany Petition for Special

Exception

Protestants' Exhibits: 1 - Petition with Forty-six Signatures

Neighborhood Map 3 - 25 Photographs

Four Photographs not Marked as Exhibits

Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

Notice of Appeal received on October 10, 1996 from Francis X.

Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George and Mary H. Mitchell

Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite 600, 409 Washington Avenue, Towson, MD 21204
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H. Mitchell, 9127 Winands Rd., Owings Mills, MD 21133
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road, Suite 402, Towson, MD 21286
Mr. Andrei Stewart, President, Sunset Ridge Community Association, Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner Arnold Jablon, Director of PDM

J CARROLL HOLZER ESQUIRE HOLZER AND LEE 305 WASHINGTON AVENUE SUITE 502 TOWSON MD 21204 Entered appearance 10/24/96 on behalf of Andrei Stewart, Pres. Sunset Ridge Comm. Assn., both individually and on behalf of the community association.

16

Dr. Paul Dubansky 1 W. Pennsylvania Avenue Towson, MD 21204



Petition for Special Exception

S/S Winands Road, 270' E of the c/l of Offutt Road

(9127 Winands Road)

2nd Election District - 2nd Councilmanic District

Luis F. George and Mary H. Mitchell - Legal Owners

Patricia E. Lewis, D.D.S. - Contract Lessee

Case No. 97-34-X

Petition for Special Exception

Description of Property

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Petitioners' Exhibit: 1 - Plan to Accompany Petition for Special

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2 - Neighborhood Map3 - 25 Photographs

Four Photographs not Marked as Exhibits

Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

Notice of Appeal received on October 10, 1996 from Francis X. Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George and Mary H. Mitchell

c: Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite 600, 409 Washington Avenue, Towson, MD 21204
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H. Mitchell, 9127 Winands Rd., Owings Mills, MD 21133
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road, Suite 402, Towson, MD 21286
Mr. Andrei Stewart, President, Sunset Ridge Community Association, Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner Arnold Jablon, Director of PDM Case No. 97-34-X

SE -To permit dental office within a residential dwelling.

9/11/96 -Deputy Zoning Commissioner's Order in which Petition for Special Exception was DENIED.

10/24/96 -Entry of Appearance filed by J. Carroll Holzer, Esquire, on behalf of Andrei Stewart, President, Sunset Ridge Community Association, both individually on behalf of Mr. Stewart and on behalf of the Sunset Ridge Comm. Assn.

12/13/96 -Notice of Assignment for hearing scheduled for Thursday, March 13, 1997 at 10:00 a.m. sent to following:

Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq. Appellants /Petitioners: Patricia E. Lewis, D.D.S.

Luis F. George and Mary H. Mitchell

J. Kevin Wight /Hicks Engineering Co.
Counsel for Protestants : J
Protestants : A

J. Carroll Holzer, Esquire Andrei Stewart, President Sunset Ridge Community Assn.

Dr. Paul Dubansky People's Counsel for Baltimore County Pat Keller Lawrence E. Schmidt

Arnold Jablon, Director /PDM Virginia W. Barnhart, Co Atty

3/05/97 -Request for dismissal of appeal filed by F. Borgerding, Counsel for Appellants /Petitioners. Order of Dismissal to be issued by CBA.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

November 1, 1996

Dr. Paul Dubansky 1 W. Pennsylvania Avenue Towson, MD 21204

RE: Case No. 97-34-X

Luis F. George and Mary H. Mitchell

/Legal Owners; Patricia E. Lewis, DDS

/Contract Lessee -- Petitioners

Dear Dr. Dubansky:

In response to your telephone request, enclosed are copies of the following: (1) the Deputy Zoning Commissioner's Order of September 11, 1996 in which the subject Petition for Special Exception was denied; (2) the letter of appeal from Francis X. Borgerding, Jr., Esquire, filed on behalf of Petitioners; and (3) a letter of notification from Arnold Jablon, Director /PDM, advising that an appeal has been filed.

A hearing date has not yet been scheduled; however, that date should be some time early in 1997. I've noted the file with your name and address, and you will receive a copy of the Notice of Assignment when the hearing date has been set.

Should you have any further questions, please call me.

Very truly yours,

Kathleen C. Bianco Legal Administrator

Enclosures

BEFORE THE IN THE MATTER OF COUNTY BOARD OF APPEALS Luis F. George and Mary H. Mitchell **BALTIMORE COUNTY** and Patricia E. Lewis, D.D.S. CASE NO. <u>97-34-X</u> 9127 Winands Road, Randallstown **SUBPOENA** Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on Thursday, March 13, 1997 at 10:00a,m. at Room 48, located at the Old Courthouse, 400 Washington Avenue and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board. Witness: Jeff Long Address: Planning Office, County Courts Building, Towson Name: J. Carroll Holzer Firm: Holzer and Lee Address: 305 Washington Avenue, Suite 502. Towson, Maryland 21204 825-6961 The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein. County Board of Appeals of **Baltimore County** Cost: \$ ______, 19_____ Summoned:

Sheriff of Baltimore County

Not Served: ______, 19____

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: November 18, 1997

Permits & Development Management

FROM:

Charlotte E. Radcliffe

County Board of Appeals

SUBJECT: Closed File: Case No. 97-34-X

LUIS F. GEORGE AND MARY H. MITCHELL, L.O.

and PATRICIA E. LEWIS, DDS -C.L.

2nd E; 2nd C

As no further appeals have been taken in the above captioned case, which was dismissed by Order dated March 12, 1997, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-34-X)

96-5400

FRANCIS X. BORGERDING, JR.

Attorney at Law

MERCANTILE BUILDING - SUITE 600 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 296-6820 FAX (410) 296-6884

Member of Maryland and District of Columbia Bar 10/8/4/ 10: Ros 10: Ros

October 8, 1996

Arnold Jablon, Director
Baltimore County Office of
Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No.: 97-34-X

Petition for Special Exception for Property known as 9127 Winands Road

Randallstown, MD 21117

Petitioners: Luis F. George and Mary H.

Mitchell, Legal Owners and Patricia E. Lewis, D.D.S.,

Contract Lessee

Dear Mr. Jablon:

Enclosed please find a Notice of Appeal to be filed in the above-referenced case on behalf of my clients, Patricia E. Lewis, D.D.S., Contract Lessee, and Luis F. George and Mary H. Mitchell, legal owners, of the above-referenced property. Please also find a check in the amount of \$285.00 made payable to Baltimore County, Maryland, to cover the cost of the appeal.

If you have any questions in relation to the above, please feel free to contact me.

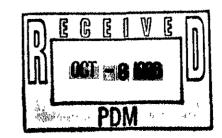
Very truly yours,

FRANCIS X. BORGERDING, JR.

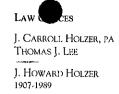
FXBJr:bjk Enclosure

cc: Patricia E. Lewis, D.D.S.

Luis F. George and Mary H. Mitchell







Towson Office 305 Washington Avenue Suite 502 Towson, MD 21204 (410) 825-6961 Fax: (410) 825-4923

CARROLL COUNTY OFFICE 1315 LIBERTY ROAD ELDERSBURG, MD 21784 (410) 795-8556 FAX: (410) 795-5535

October 24, 1996 #6978

Robert Schuetz, Chairman
Baltimore County Board of Appeals
Old Courts Building
Towson, Maryland 21204

Re: Case No.: 97-34-X

Petition for Special Exception for 9127 Winands Road

Dear Mr. Schuetz:

Please enter my appearance representing the Protestants in the above captioned matter and advise me of the hearing date when it is scheduled by the Board. Thank you for your cooperation.

J. Carroll Holzer

JCH:alt

cc: Frances X. Borgerding, Jr.

C.\WPDOC\\$CHUETZ LTR



Sunset Ridge Community Association 3681 Offutt Road P.O. Box 118 Randallstown, MD 21133

August 30,1996

Signature

Be it known that on this date, August 30,1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

Address

Name

vaine	Address	Signature
ANDREI LISTEWART	PSUNRISE COURT RANDALLSTOWN, MD 21133	andrei L. Stewart
Vera Bethune - Stewart	Randollstown MD 21133 22 SUNRISC CT	101 11 11-1
DARREIL HAMILTON	KANDARIS TOWN MIL) 21133	6 / (2000 D) / h - 1 / .
JEANNE ANDOLINA	922 Sunset Riche DD	
Vincent Anddina	Rancallstown 140 21133	Nucert Chilolina
GRACIE MOSRG-GREENE	9125 Sugart fidge Fel.	March Bru
PAUL A. GREENE	G125 Sunalt Rody Rd. Revealls brown and 2443	forth. Lo
John J. Fitzsimmons	Randall Stam MID 21133	Om J. Plans
Becky B. Fitzsmans	Randall Stand MD 21133	Baly & Filsmine
Eric Hankins	Paradallatoun Market	Entah
Michael CARR	19130 Sunset Ridge Kl	Tiday all
he ola hat more	9137 Juney Kidge R. Residelly gram May 13	Totoleman
Michael Latimore	cc ul	Mighel Seferior
William Dort	10 Sunrise Ct. Randallstown	Wiel
Lawrence White	16 Survise Ct	Nauvience R. White
Phy Sarely	18 SUNRISO CI	Phlas & Sample
PAGSKA Wither Pog1	PARAMISTON SILL	Speake Withouspoix
PAYLETTE WITHERPOON	MARSHALET RIGHT BIS	Vaulte Witherston
Grange Donie Grays	23 Survive CT' Rundallstone no 21133	
Chy Szymmusici	3 SUNRISE GT	BPan
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Sunset Ridge Community Association 3681 Offutt Road P.O. Box 118 Randallstown, MD 21133

August 30,1996

Be it known that on this date, August 30,1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

Name	Address	Signature
Julius MASON	9117 Sunset Ridge Rd	when Inuson
		Linda Mason
	9115 SUNSOTRIBGERY	
Robyn Washington	9119 Sunset Ridgell	Colin Musling
Michael Washington	19119 Sunset Ridget	& Whichard W. Q. C.
	191215UNSet Ridge 1	
HUNICH ACTOHUR	9,218UNSERRNGER	A. Almainal Johnson
Charles Byrd	9/13 Sunset Ridgofa	1 Charles
GLONZA G MASON	9189 SUNSET BOOLE RD	Gloria De Masil
RAYMOND GRIFFITT	-9101 SUNSET REGIO	Maril Eller
WALLACE CHOIST, AN	9100 SONSET RAPE	Wallace Arishan
Ed-TILLERY	9122 SUNSET Ridge	Edward Tillery
Lean RHindyson	9135 Sunsetridge	Leer Canala
Shutte L. Jarris	9141 Sunset Ridge Ro	Mette L. Harris
Deboral Blackwell	9143 Sunset Ridge Kl	Robert a Blocker CO
Joey Blackwell	9143 Sunget Roder Rd	In Maple !
Mary Bannon	4013 OFFINE PC	Mary Dannor
Frank Tre Bonon	4013 offutt Rdi	Ement & Bumon
Dlodg Wym	2/ Surjuse C.	R Dudip Wynn
Cherley Jones	25 SINRISE (7	Carley Clones
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Sunset Ridge Community Association 3681 Offutt Road P.O. Box 118 Randallstown, MD 21133

August 30,1996

Be it known that on this date, August 30,1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

Name	Address	Signature
D. F. Yors	24 Sunrise Court	Welkell John Q
JAMICE YNES	24 SUNFISE Court	Ladice your
Mary Harts	15 Sunprise Court	Mary Jayen
Kobin Stewart-Bey	5 SUNVISE COURT	Willin Stewart (35)
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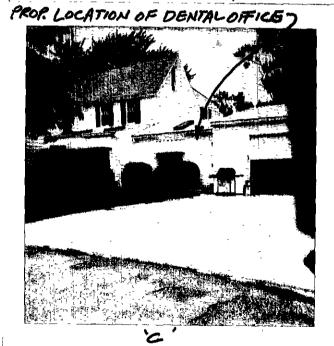


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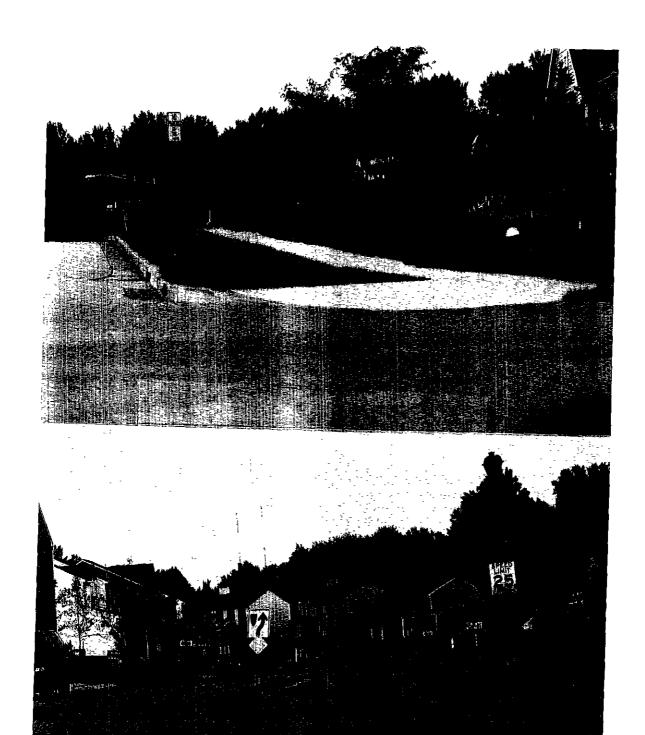
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9127 WINANDS ROAD 6/13/96 KW

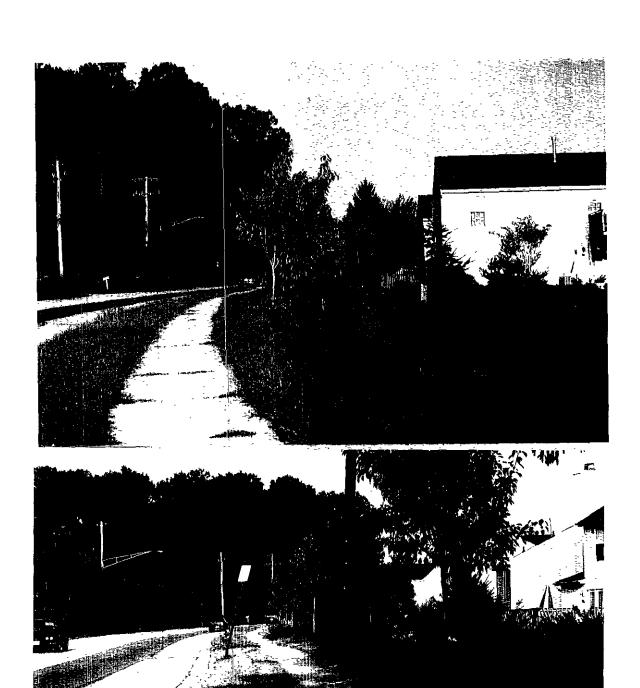


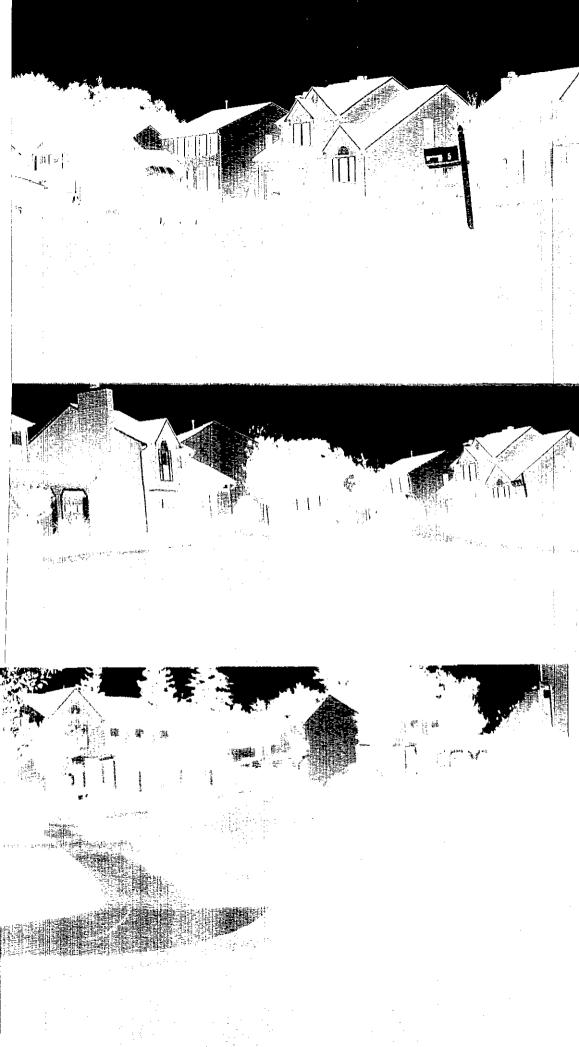


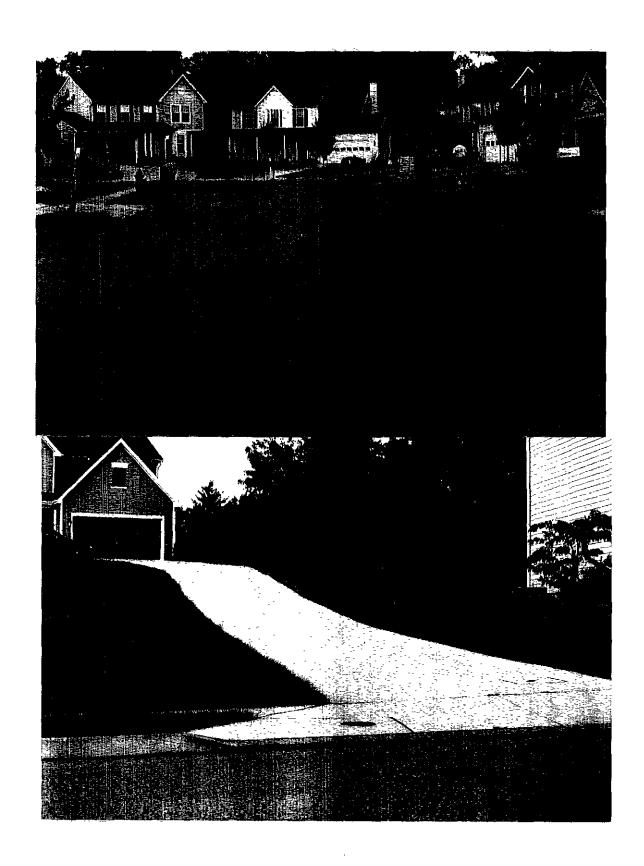


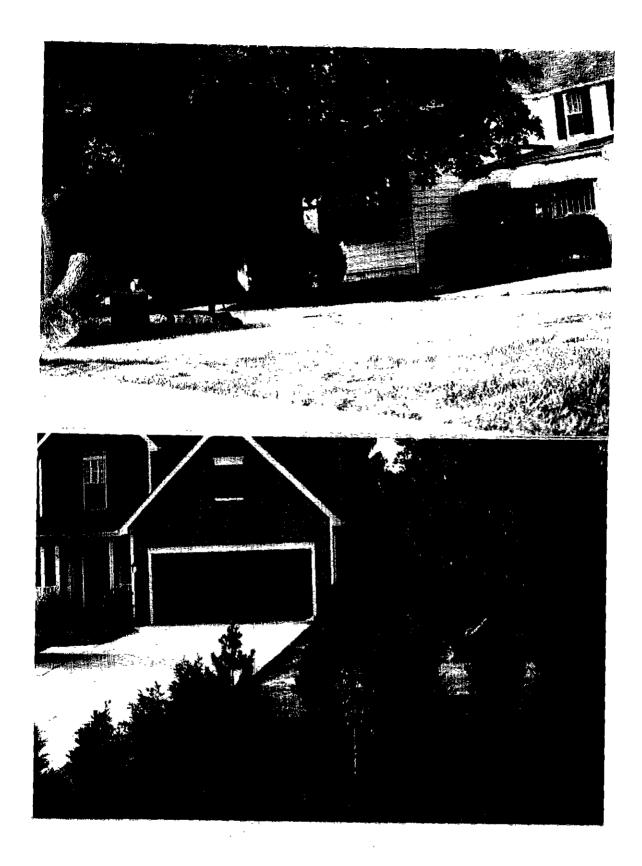




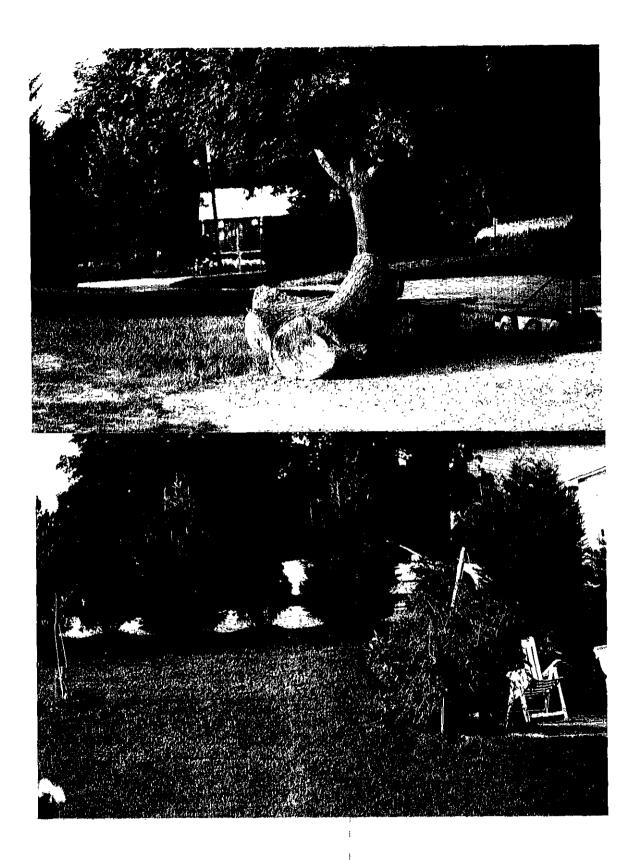


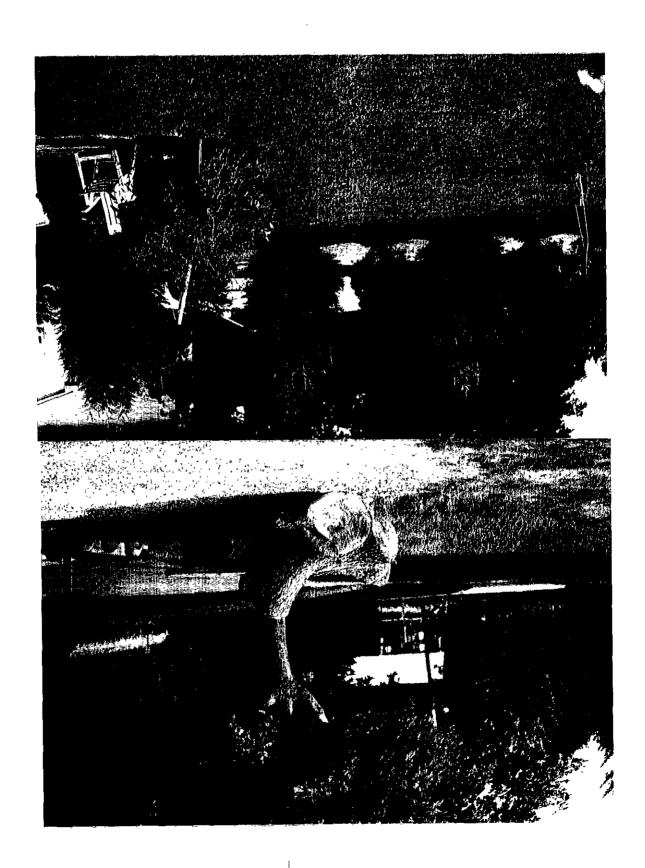














IN RE: PETITION FOR SPECIAL EXCEPTION

S/S Winands Road, 270' E of the

c/l of Offutt Road

(9127 Winands Road) 2nd Election District

2nd Councilmanic District

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 97-34-X

Luis F. George and Mary II.

Mitchell, Legal Owners; and *

Patricia E. Lewis, D.D.S., Contract Lessee

* * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 9127 Winands Road, located in the vicinity of Offutt Road and the Sunset Ridge Community in Randallstown. The Petition was filed by the owners of the property, Inuis F. George and Mary H. Mitchell, and the Contract Lessee, Patricia E. Lewis, D.D.S. The Petitioners seek a special exception to permit a dental office within a residential dwelling, in accordance with the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Luis George, owner of the property, Dr. Patricia Lewis, Contract Lessee, and Kevin White, Professional Engineer who prepared the site plan for this property. Appearing in opposition to the request was Mr. Andrei Stewart, President of the Sunset Ridge Community Association.

Testimony and evidence offered revealed that the subject property consists of 0.551 acres, more or less, zoned D.R. 3.5 and is improved with a large, two-story frame dwelling, and attached two-car garage. Dr. Lewis testified that she has been a dentist since 1981 and until two weeks ago, had operated her dental practice from a location in south Baltimore for the past 13 years. Dr. Lewis recently leased the subject property from Mr.

DER RECEIVEU FOR FILING

George and Ms. Mitchell and would like to relocate her practice to the subject site.

Appearing in opposition to the Petitioners' request was Andrei Stewart. Mr. Stewart introduced as Protestant's Exhibit 1 a Petition of Opposition which had been signed by many of the residents of the Sunset Ridge Community. He also submitted as Protestant's Exhibit 2, a map of the neighborhood and as Protestant's Exhibit 3, photographs of several of the houses within that neighborhood. Mr. Stewart testified that he and the community are opposed to Dr. Lewis establishing a dental practice at the subject location. The neighborhood is opposed to a commercial operation taking place in their residential neighborhood and the traffic and parking problems that would be generated by the proposed use. Mr. Stewart expressed their further concerns over the storage of drugs and syringes that are kept on the premises and used in conjunction with the dental practice. They are also concerned over the disposal of the medical waste generated by virtue of a dental practice.

Mr. Stewart further testified that they are experiencing problems with students who attend Randallstown High School who loiter in their neighborhood and fear that allowing a dental practice to exist in the neighborhood would give those students an excuse to loiter in that they could say they were waiting for a dental appointment. The association is strongly opposed to the granting of any special exception relief.

It should also be noted that several comments were submitted from the various Baltimore County reviewing agencies. In particular, the Office of Planning submitted a comment dated August 28, 1996 wherein they recommend denial of the special exception request. The Planning Office is opposed to the special exception in that they believe the operation of a

dental practice at the subject location would have an adverse impact on the surrounding residential community.

After reviewing all of the testimony and evidence presented by the Petitioners as well as Mr. Stewart, and in consideration of the comments submitted by the Office of Planning, I am persuaded to deny the special exception request.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inhorently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will be detrimental to the health, safety, or general welfare of the locality, and will tend to create congestion in roads, streets, or alleys therein. It will be inconsistent with the purposes of the property's zoning classification, and inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, it appears that the requirements of Section 502.1 have not been met and that the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this // day of September, 1996 that the Petition for Special Exception to permit a dental office within a residential dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

IN THE MATTER OF THE APPLICATION OF LUIS F. GEORGE AND MARY H. MITCHELL -LEGAL OWNERS; AND PATRICIA E. LEWIS, DDS -CONTRACT LESSEE / PETITIONERS FOR A SPECIAL EXCEPTION ON PROPERTY LOCATED ON THE SOUTH SIDE WINANDS ROAD, 270' EAST OF OFFUTT RD (9127 OFFUTT RD) 2ND ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

CASE NO. 97-34-X

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner dated September 11, 1996 in which the Petition for Special Exception was denied.

WHEREAS, the Board is in receipt of a letter of dismissal filed by Francis X. Borgerding, Jr., Esquire, Counsel for Appellants /Petitioners, dated March 5, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellants requests that the appeal filed in this matter be dismissed as of March 5, 1997;

IT IS HEREBY ORDERED this 12th day of March , 1997 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

tine K. Howanski, Acting Chairman

Harry E. Buchheister, Jr.

Charles L. Marks

FRANCIS X. BORGERDING, JR.

Attorney at Law

MERCANTILE-TOWSON BLDG - SUITE 600 409 WASHINGTON AVE. TOWSON, MD 21204 OFFICE (410) 296-6820 TELEFAX (410) 296-6884

Member of Maryland and District of Columbia Bar

March 5, 1997

County Board of Appeals of Baltimore County Old Court House, Room 49 400 Washington Avenue Towson, Maryland 21204

RE: Case No.: 97-34-X

In the Matter of Luis F. George and Mary H. Mitchell, Legal Owners; and Patricia E. Lewis, D.D.S., Contract Lessee

9127 Winands Road

Randallstown, Maryland 21117

Second Election District; Second Councilmanic District

Gentlemen/Ladies:

This correspondence is being written on behalf of the Appellants/Petitioners to request a dismissal of the above-referenced appeal now set for hearing on Thursday, March 13, 1997 at 10:00 A.M.

Thank you very much for your cooperation with regard to this matter.

Very truly yours,

FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Patricia E. Lewis, D.D.S.

Luis F. George and Mary H. Mitchell

J. Carroll Holzer, Esquire

11.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

March 12, 1997

Francis X. Borgerding, Jr., Esquire
DiNENNA AND BRESCHI
Suite 600
Mercantile-Towson Building
409 Washington Avenue
Towson, MD 21204

RE: Case No. 97-34-X
Patricia E. Lewis, DDS, et al

Dear Mr. Borgerding:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco Legal Administrator

lotta & Radolphe

encl.

CC: Patricia E. Lewis, DDS
Luis F. George and Mary H. Mitchell
J. Kevin Wight /Hicks Engineering Co.
J. Carroll Holzer, Esquire
Andrei Stewart, President /Sunset Ridge Comm Assn
Dr. Paul Dubansky
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

IN RE: PETITION FOR SPECIAL

EXCEPTION S/S Winands

Road, 270'E of the c/1 of Offutt Road

(9127 Winands Road) 2nd Election District

2nd Councilmanic

District

Luis F. George and Mary H. Mitchell, Legal Owners; and Patricia E. Lewis,

D.D.S., Contract Lessee

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No.: 97-34-X

NOTICE OF APPEAL

×

Please enter an appeal to the Board of Appeals of Baltimore County, on behalf of Patricia E. Lewis, D.D.S. and Luis F. George and Mary H. Mitchell, from the September 11, 1996 decision of the Deputy Zoning Commissioner for Baltimore County in the abovecaptioned case.

ERANCIS X. BORGERDING JR 409 Washington Avenue, Suite 600

Towson, Maryland 21204

(410) 296-6820

Attorney for Patricia E. Lewis, D.D.S. and Luis F. George and Mary H.

Mitchell

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this $\beta^{\prime\prime}$ day of <u>State</u>, 1996, a copy of the aforegoing was mailed, postage prepaid, to:

Mr. Andrei Stewart, President Sunset Ridge Community Association, Inc. 3681 Offutt Road P. O. Box 118 Randallstown, Maryland 21133

Peter Max Zimmerman, Esquire Room 47 Court House 400 Washington Avenue Towson, Maryland 21204

FRANCIS X. BORGERDING J

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

September 11, 1996

(410) 887-4386

Mr. Luis F. George
Ms. Mary H. Mitchell
Dr. Patricia E. Lewis
9127 Winands Road
Owings Mills, Maryland 21117

RE: PETITION FOR SPECIAL EXCEPTION

S/S Winands Road, 270' E of the c/l of Offutt Road

(9127 Winands Road)

2nd Election District - 2nd Councilmanic District

Luis F. George and Mary H. Mitchell, Legal Owners; and

Patricia E. Lewis, D.D.S., Contract Lessee

Case No. 97-34-X

Dear Mr. George, Ms. Mitchell & Dr. Lewis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

unthy Hotroco

for Baltimore County

TMK:bjs

200 E. Joppa Road, Suite 402, Towson, Md. 21286

Mr. Andrei Stewart, President, Sunset Ridge Comm. Assoc., Inc. 3681 Offutt Road, P.O. Box 118, Randallstown, Md. 21133

People's Counsel; Case File

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE

9127 Winands Road, S/S Winands Road,

270'+/- E of c/l Offutt Road * ZONING COMMISSIONER

2nd Election District, 2nd Councilmanic

* OF BALTIMORE COUNTY

Legal Owners: Luis George and Mary Mitchell

Contract Purchaser/Lessee: Patricia E. * CASE NO. 97~34~X

Lewis, D.D.S.

Petitioners *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

dible S. Demilio

CAROLE S. DEMILIO
Deputy People's Coun

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this Aday of August, 1996, a copy of the foregoing Entry of Appearance was mailed to J. Kevin Wight, 200 E. Joppa Road, Suite 402, Towson, MD 21286, representative for Petitioners.

PETER MAX ZIMMERMAN

A STATE OF THE STA

er Mart Timmerman



herein described property for

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby polition for a Special Exception under the Zoning Regulations of Baltimore County, to use the

9127 Winands Road

which is presently zoned

D.R.-3.5

for the property located at

This Petition shall be filed with the Office of Zoning Administration & Development Management.

	tal Dwelling.
Property is to be posted and advertised as prescrib	ped by Zoning Regulations
I, or we, agree to pay expenses of above Special Exception adve	ortising, posting, etc., upon filing of this petition, and further agree to animore County adopted pursuant to the Zoning Law for Baltimore County
, ,	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the
Contract Purchasgr/Lessee;	legal owner(s) of the property which is the subject of this Potition
Patricia E. Lewis, D.D.S.	Legal Owner(s): Luis F. George
(Type or Print Name)	(Type or Print Name)
Signature	Signature Starting
9127 Winands Road	Mary H. Mitchell
Owings Mills, MD 21133	land H. Allaha
OWINGS TILLIS, FID ZITSS Zipeode	Signaturo H. C. Guerre S.
•	9127 Winands Road 922 9779
Altorney for Petitioner:	Address Phone No.
ype or Print Nama)	Owings Mills, MD 21133
	Name, Address and phone number of representative to be contacted.
gnalure	J. Kevin Wight
ildress Phona No	200 E. Joppa Road, Suite 402 (410)-4
	Address Towson, MD 21286 Phone No OFFICE USE ONLY
·	ESTIMATED LENGTH OF HEARING unavailable for Hearing
And tracking the same of the s	the following dates Next Two Months
~ ~	REVIEWED BY: St. DATE 7/23/96
! ~	REVIEWED BY: DATE 1/23/76

ZONING DESCRIPTION

97-34-X

BEGINNING at a point on the south side of Winands Road which is 70 feet wide at the distance of 270 feet, more or less, east of the center-line of Offutt Road which is 70 feet wide. Thence the following courses and distances:

- 1) South 06°06'29" East, 138.57 feet,
- 2) South 18°52'04" West, 40.49 feet,
- 3) South 01°19'10" West, 121.07 feet,
- 4) South 88°40'50" East, 12.00 feet,
- 5) North 01°19'10" East, 120.00 feet,
- 6) North 88°46'01" East, 114.39 feet,
- 7) North 11°43'28" East, 76.07 feet,
- 8) North 01°41'59" West, 95.01 feet,
- 9) Curve to the right R = 835.00 feet, L = 140.90 feet to the place of beginning as recorded in deed Liber 10890, Folio 132.

BEING Lot No. 65 in the subdivision of "Sunset Ridge" (Plat Two) as recorded in Baltimore County Plat Book S.M. No. 63, Folio 136 and containing 0.551 acres of land. Also known as 9127 Winands Road and located in the Second Election District of Baltimore County, Maryland.

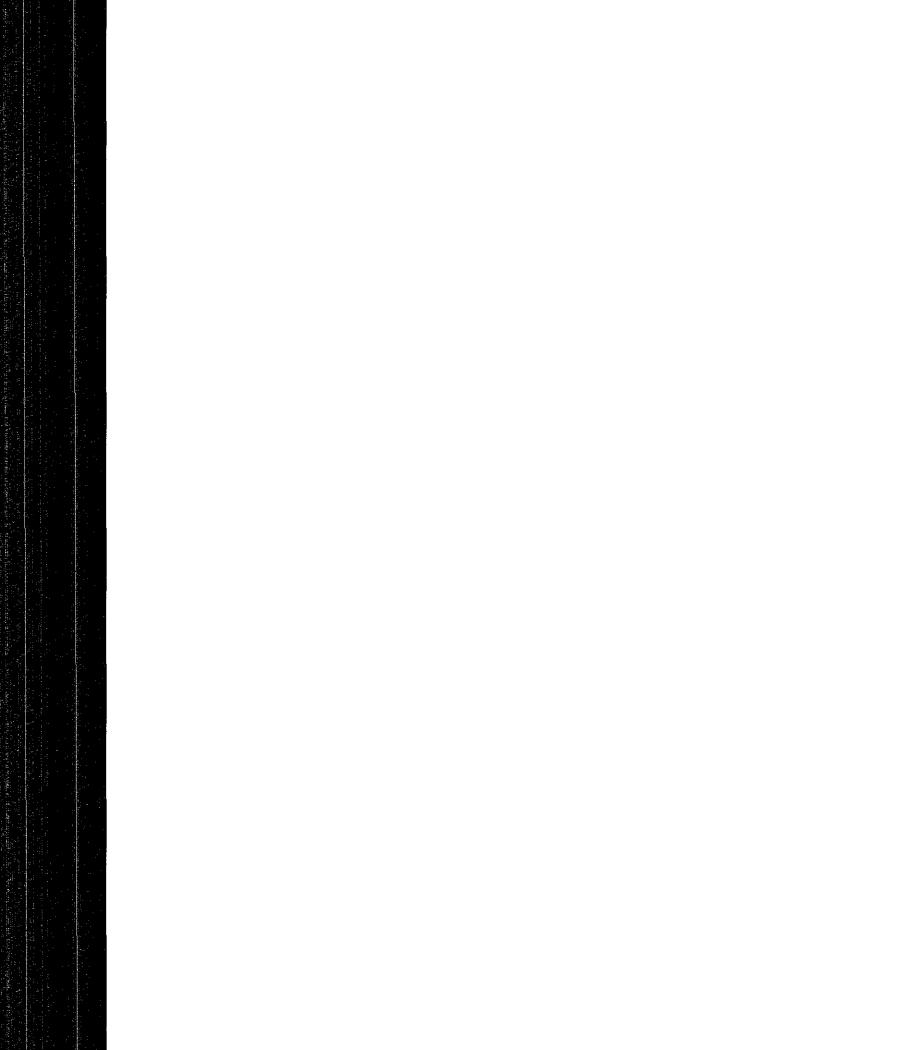
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ZONING DEPARTMENT OF BALTIMORE COUNTY Townson, Maryland 77-34-4
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Petitioner: Luis F. Beorge & Mory J. M. Tchall
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Miller
Structure Data of return:

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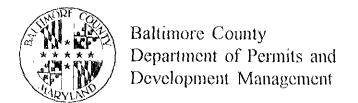
The Committee of County of

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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF CONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
From No.: 30 Politioner: PATRICIA E. LEWIS, P.D.S.
Location: 9127 WINANDS RUAD
PLEASE FORWARD ADVERTISING BILL TO:
NAME: PATRICIA E. LEWIS, D.D.S.
ADDRESS: 912.7 WINANDS ROAD
OWINGS MILLS, MD. Z1133
PHONE NUMBER: (410) 355-6811

	prepared by: Scale of Drawing: 1'=
Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	North
SEWER:	
Zoning: Lot size: acreage square feet	
LOCATION INFORMATION Election District: Councilmanic District:	
Wicinity Map	
	plat book#,lot#,section# OWNER:
iance Special Hearing	Plat to accompany Petition for Zoning Variance

CERTIFICATE OF POSTING

cert.doc

	RE: Case No.: () 7-34
	Petitioner/Developer:
	Date of Hearing/Closing:
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
•	es of perjury that the necessary sign(s) required by law
The sign(s) were posted on	<u> </u>
	(Month, Day, Year)
1 M Preicition	Sincerely,
TEROM PRICABOLINA CENTER JOSEPH 1 SIGN TIC Reposition This part 1 The properties of the propertie	(Signature of Sign Poster and Date) (Printed Name) (Address) (City, State, Zip Code)
9/96	(Telephone Number)

CERTIFICATE F POSTING

	RE: Case No.: 4/- 5 7- X
	Petitioner/Developer:
	Date of Hearing/Closing:
Baltimore County Department of Permits and Development Manager County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stepher	ns
Ladies and Gentlemen:	
were posted conspicuously on the p	property located at
The sign(s) were posted on	1 - 24 - 97 (Reposted) (Month, Day, Year)
	Sincerely, War Lay
	(Signature of Sign Poster and Date)
	DAVID J. MYCOR
•	(Printed Name)
' 1	3351 FLICKINGER RI) (Address)
	WESTMINSTER, JAMES MD. 21158
•	(City, State, Zip Code)
	4/10-848-6620
	(Telephone Number)

9/96 cert.doc

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DATE 10/13/ 75		
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TO: PUTUXENT PUBLISHING COMPANY
August 8, 1996 Issue - Jeffersonian

Please foward billing to:

Patricia E. Lewis, D.D.s. 9127 Winands Road Owings Mills, Maryland 21133 355-6811

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-34-X (Item 30)

9127 Winands Road

S/S Winands Road, 270'+/- E of c/1 Offutt Road

2nd Election District - 2nd Councilmanic

Legal Owner(s): Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDLCAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

, , ,

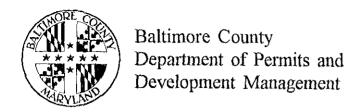
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HEARINC Court B

Other:

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DISTRIC



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

August 2, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-34-X (Item 30)

9127 Winands Road

S/S Winands Road, 270'+/- E of c/l Offutt Road

2nd Election District - 2nd Councilmanic

Legal Owner(s): Luis F. George and Mary H. Mitchell

Special Exception for a dental office within a residential dwelling.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon Director

cc:

Luis F. George and Mary H. Mitchell

J. Kevin Wight

Patricia E. Lewis, D.D.S.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

December 13, 1996

NOTICE OF ASSIGNMENT

CASE #: 97-34-X

IN MATTER OF: LUIS F. GEORGE AND MARY H. MITCHELL - Legal Owners; and PATRICIA E. LEWIS, D.D.S. - Contract Lessee 9127 Winands Road Randallstown, MD 21117

2nd Election District; 2nd Councilmanic (Petition for Special Exception DENIED.)

ASSIGNED FOR: THURSDAY, MARCH 13, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco Legal Administrator

cc: Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq. Appellants /Petitioners: Patricia E. Lewis, D.D.S.
Luis F. George and Mary H. Mitchell

J. Kevin Wight /Hicks Engineering Co.

Counsel for Protestants : Protestants :

J. Carroll Holzer, Esquire Andrei Stewart, President Sunset Ridge Community Assn.

1

Dr. Paul Dubansky

People's Counsel for Baltimore County
Pat Keller Arnold Jablon, Director /PDM
Lawrence E. Schmidt Virginia W. Barnhart, Co Atty

Luis F. George and Mary H. Mitchell — Legal Owners
Patricia B. Lewis, D.D.S. Contract Lessee Case No. 91-34-X

Paulicia b. Lewis, D.D.S. - Contract Lessee

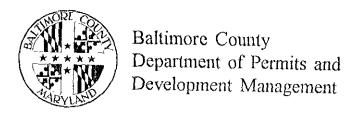
S/s Winands Road, 270* E of the C/L of Offic Road

(9121 Winands Road)

2nd Election District

Appealed: 10/10/96

(see attached copy of



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

August 29, 1996

Mr. and Mrs. Luis George 9127 Winands Road Owings Mills, MD 21133

RE: Item No.: 30

Case No.: 97-34-X

Petitioner: Luis George, et ux

Dear Mr. and Mrs. George:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)



ber Kegr. евсу мясутые

PICENRE KEYE

OWNER OF MACHINES (please type or print) (Mhere devices will be operated) NAME OF BUSINESS OWNER OR OPERATOR (Please type or print) ZIE CODE BUSINESS LOCATION (Where devices will be operated) **DHONE** # NAME OF BUSINESS MAKE MONEY ORDER OR CHECK PAYABLE TO "BALTIMORE COUNTY, MARYLAND". 9T9E-L88 APPLICATION DATE TOWSON, MARYLAND 21204 CONNEX OFFICE BULLDING DEPARTMENT OF PERMITS & LICENSES BALTIMORE COUNTY, MARYLAND FEE: \$150.00 COLU OPERATED AMUSEMENT DEVICE APPLICATION

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INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: August 9, 1996

, · I.

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for August 12, 1996

Item No. 030

The Development Plans Review Division has reviewed the subject zoning item. The parking should be buffered from the adjacent residences. An adequate on-site maneuvering area must be provided.

RWB:HJO:jrb

cc: File

Copy of comment forwarded to Comprisioner. J. C. 8/28/96

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE:	August	28,	1996
·			
	n		
	·		
		1	DATE: August 28,

SUMMARY OF RECOMMENDATIONS:

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

Prepared by:

Division Chief:

AFK/JL/1w ITEM30/PZONE/ZAC1

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 08/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 05, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 26,27,28,29,30,81,32,34,35,36,37,38,39 AND 41.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean link on Recycled Paper



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT **TOWSON, MARYLAND 21204**

PLUMBING PERMIT

PERMIT #: F280036

CONTROL #: 280036

DIST: 11

PREC: 00

BUILDING PERMIT #:

TAX ACCT #: 1116003000 DATE ISSUED: 08/08/96

SEWAGE DISPUSAL: METRO

RECEIPT 4: A309852

OLD OR NEW (O OR N): OLD

TYPE OF BUILDING: SFD

APPLICANT INFORMATION NAME:

ROBERT H RUETER

COMPANY: STATE MECHANICAL CONTRACTOR

ADDR1:

6401 HARFORD RD

ADDR2:

21214

PHONE #: 426 9800

LICENSE #: MP649

OWNERS INFORMATION

NAME: ROBERTSON, ROBERT

ADDR:

LOCATION OF PROPERTY: 5417

FORGE RD

SUBDIVISION: FORGE ACRES

SECTION:

LOT #:

BLOCK: TOWN OR VICINITY: PERRY HALL

NO. OF GAS METERS:

RANGE:

WATER HEATER

FURNACE

SIZE OF

GAS PERMIT:

OTHERS

PIPE

ETU

BTU

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BTU

CAUTION: PLASTIC WATER SERVICE LINES WILL REQUIRE A REVIEW OF THE ELEC-TRICAL SYSTEM TO ASSURE PROPER GROUND. CONTACT AN ELECTRICAL CONTRACTOR.

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DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: dep 8, 91

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee Meeting Date: (hy 5, 9)

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

#26

36

46

RBS:sp

BRUCE2/DEPRM/TXTSBP



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT TOWSON, MARYLAND 21204

DURECTOR

BUILDINGS ENGINEER



David L. Winstead Secretary Hal Kassoff Administrator

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Baltimore County Item No.

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any Thank you for the opportunity to review this plan.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

Division

BS

Mailing Address: D.O. Ray 717 - Boltimare MD

INTER-OFFICE CORRESPONDENCE

97-34-x/3/96

TO: Arnold Jablon, Director, PDM

DATE: August 28, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 9127 Winands Road

INFORMATION:

Item Number: 30

Petitioner: George Property

Property Size:

Zoning: DR 3.5

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

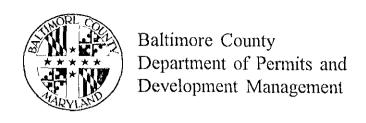
Jam L Keins

Prepared by:

Division Chief:

AFK/JL/Iw

ITEM30/PZONE/ZAC1



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

October 15, 1996

Mr. J. Kevin Wight Hicks Engineering Company 200 E. Joppa Road, Suite 402 Towson, MD 21286

RE: Petition for Special
Exception
S/S Winands Road, 270' E
of the c/l of Offut Road
(9127 Winands Road)
2nd Election District
2nd Councilmanic District
Luis F. George and Mary
H. Mitchell - Legal Owners
Patricia E. Lewis, D.D.S.
- Contract Lessee
Case No. 97-34-X

Dear Mr. Wight:

Please be advised that an appeal of the above-referenced case was filed in this office on October 10, 1996 by Francis X. Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, D.D.S., Luis R. George and Mary H. Mitchell. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

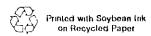
Sincerely,

ARNOLD JABLO

Director

AJ:rye

c: Mr. Andrei Stewart People's Counsel 1944 - 1930 So



Petition for Special Exception
S/S Winands Road, 270' E of the c/l of Offutt Road
(9127 Winands Road)
2nd Election District - 2nd Councilmanic District
Luis F. George and Mary H. Mitchell - Legal Owners
Patricia E. Lewis, D.D.S. - Contract Lessee
Case No. 97-34-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners' Exhibit: 1 - Plan to Accompany Petition for Special Exception

Protestants' Exhibits: 1 - Petition with Forty-six Signatures
Neighborhood Map
25 Photographs

Four Photographs not Marked as Exhibits

Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

Notice of Appeal received on October 10, 1996 from Francis X.

Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George
and Mary H. Mitchell

Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite 600, 409 Washington Avenue, Towson, MD 21204
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H. Mitchell, 9127 Winands Rd., Owings Mills, MD 21133
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road, Suite 402, Towson, MD 21286
Mr. Andrei Stewart, President, Sunset Ridge Community Association, Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner Arnold Jablon, Director of PDM

J CARROLL HOLZER ESQUIRE HOLZER AND LEE 305 WASHINGTON AVENUE SULTE 502 TOWSON MD 21204

Entered appearance 10/24/96 on behalf of Andrei Stewart, Pres. Sunset Ridge Comm. Assn., both individually and on behalf of the community association.

1

Dr. Paul Dubansky 1 W. Pennsylvania Avenue Towson, MD 21204

APPEAL

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners' Exhibit: 1 - Plan to Accompany Petition for Special

Exception

Protestants' Exhibits: 1 - Petition with Forty-six Signatures

2 - Neighborhood Map3 - 25 Photographs

Four Photographs not Marked as Exhibits

Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

Notice of Appeal received on October 10, 1996 from Francis X. Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George and Mary H. Mitchell

c: Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite 600, 409 Washington Avenue, Towson, MD 21204
Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H. Mitchell, 9127 Winands Rd., Owings Mills, MD 21133
Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road, Suite 402, Towson, MD 21286
Mr. Andrei Stewart, President, Sunset Ridge Community Association, Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner Arnold Jablon, Director of PDM Case No. 97-34-X

SE -To permit dental office within a residential dwelling.

9/11/96 -Deputy Zoning Commissioner's Order in which Petition for Special Exception was DENIED.

10/24/96 -Entry of Appearance filed by J. Carroll Holzer, Esquire, on behalf of Andrei Stewart, President, Sunset Ridge Community Association, both individually on behalf of Mr. Stewart and on behalf of the Sunset Ridge Comm. Assn.

12/13/96 -Notice of Assignment for hearing scheduled for Thursday, March 13, 1997 at 10:00 a.m. sent to following:

Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq. Appellants /Petitioners: Patricia E. Lewis, D.D.S.

Luis F. George and Mary H. Mitchell

J. Kevin Wight /Hicks Engineering Co. Counsel for Protestants:

Protestants :

J. Carroll Holzer, Esquire Andrei Stewart, President Sunset Ridge Community Assn.

Dr. Paul Dubansky People's Counsel for Baltimore County Pat Keller Lawrence E. Schmidt

Arnold Jablon, Director /PDM Virginia W. Barnhart, Co Atty

3/05/97 -Request for dismissal of appeal filed by F. Borgerding, Counsel for Appellants /Petitioners. Order of Dismissal to be issued by CBA.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

November 1, 1996

Dr. Paul Dubansky 1 W. Pennsylvania Avenue Towson, MD 21204

RE: Case No. 97-34-X
Luis F. George and Mary H. Mitchell
/Legal Owners; Patricia E. Lewis, DDS
/Contract Lessee -- Petitioners

Dear Dr. Dubansky:

In response to your telephone request, enclosed are copies of the following: (1) the Deputy Zoning Commissioner's Order of September 11, 1996 in which the subject Petition for Special Exception was denied; (2) the letter of appeal from Francis X. Borgerding, Jr., Esquire, filed on behalf of Petitioners; and (3) a letter of notification from Arnold Jablon, Director /PDM, advising that an appeal has been filed.

A hearing date has not yet been scheduled; however, that date should be some time early in 1997. I've noted the file with your name and address, and you will receive a copy of the Notice of Assignment when the hearing date has been set.

Should you have any further questions, please call me.

Very truly yours,

Kathleen C. Bianco Legal Administrator

Enclosures

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BEFORE THE IN THE MATTER OF COUNTY BOARD OF APPEALS Luis F. George and Mary H. Mitchell **BALTIMORE COUNTY** and Patricia E. Lewis, D.D.S. CASE NO. 97-34-X 9127 Winands Road, Randallstown **SUBPOENA** Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on Thursday, March 13, 1997 at 10:00a.m. at Room 48, located at the Old Courthouse, 400 Washington Avenue and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board. Witness: Jeff Long Address: Planning Office, County Courts Building, Towson Name: J. Carroll Holzer Firm: Holzer and Lee Address: 305 Washington Avenue, Suite 502. Towson, Maryland 21204 825-6961 The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein. County Board of Appeals of **Baltimore County** Cost: \$ Summoned: _____, 19____

Sheriff of Baltimore County

Not Served: , 19______,

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 18, 1997

Permits & Development Management

FROM: Charlotte E. Radcliffe

County Board of Appeals

SUBJECT: Closed File: Case No. 97-34-X

LUIS F. GEORGE AND MARY H. MITCHELL, L.O.

and PATRICIA E. LEWIS, DDS -C.L.

2nd E; 2nd C

As no further appeals have been taken in the above captioned case, which was dismissed by Order dated March 12, 1997, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-34-X)

96-5100

Francis X. Borgerding, Jr.

Attorney at Law

MERCANTILE BUILDING - SUITE 600 409 Washington Avenue TOWSON, MARYLAND 21204 (410) 296-6820 Fax (410) 296-6884

Member of Maryland and District of Columbia Bar

October 8, 1996

Arnold Jablon, Director Baltimore County Office of Permits & Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

> RE: Case No.: 97-34-X

> > Petition for Special Exception for Property known as 9127 Winands Road

Randallstown, MD 21117

Petitioners: Luis F. George and Mary H.

Mitchell, Legal Owners and Patricia E. Lewis, D.D.S.,

Contract Lessee

Dear Mr. Jablon:

Enclosed please find a Notice of Appeal to be filed in the above-referenced case on behalf of my clients, Patricia E. Lewis, D.D.S., Contract Lessee, and Luis F. George and Mary H. Mitchell, legal owners, of the above-referenced property. Please also find a check in the amount of \$285.00 made payable to Baltimore County, Maryland, to cover the cost of the appeal.

If you have any questions in relation to the above, please feel free to contact me.

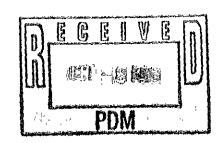
Very truly yours,

FRANCIS X. BORGERDING, JR.

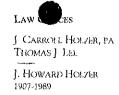
FXBJr:bjk Enclosure

Patricia E. Lewis, D.D.S.

Luis F. George and Mary H. Mitchell







Towson Office 305 Washington Avenue Suite 502 Towson, MD 21204 (410) 825-6961 Fax: (410) 825-4923

CARROLL COUNTY OFFICE 1315 LIBERTY ROAD ELDERSBURG, MD 21784 (410) 795-8556 FAX: (410) 795-5535

October 24, 1996 #6978

Robert Schuetz, Chairman
Baltimore County Board of Appeals
Old Courts Building
Towson, Maryland 21204

Re: Case No.: 97-34-X

Petition for Special Exception for 9127 Winands Road

Dear Mr. Schuetz:

Please enter my appearance representing the Protestants in the above captioned matter and advise me of the hearing date when it is scheduled by the Board. Thank you for your cooperation.

J. Carroll Holzer

Very trally yours.

JCH:alt

cc: Frances X. Borgerding, Jr.

C.\WPDOC\SCHUETZ.LTR



Sunset Ridge Community Association 3681 Offutt Road P.O. Box 118 Randallstown, MD 21133

August 30,1996

Be it known that on this date, August 30,1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

Name	Address	Signature
ANDREI LISTEWART	934NRISE COURT RANDALUSTOWNIMD 21133	andrei L. Stowart
Vera Bethune - Stewart	Randallstown, MD 21133	1 /1/ / 1 = -// / / /
DARRELL HAM YOK	しートかんのか ニくさんしょいと ぞうたし ニリンチ	16 16 16 16 16 16 16 16 16 16 16 16 16 1
JEANNE FINDOLINA	929 Sunsel Rege DO al27 Sussel Regelo	fain & Children
Unkert Andolma	1 Randallstown 190 21199	In the state of th
GRACIE MOSEG-GREENE	Fron May Some State Land	Mary Mede - Du
PAUL A. GREEN	1 KANAMICKNOWN MAY ZUOK Y	fortil . To
Tohn]. Fitzsimmons	911 Sunget, Ribe RD 3/13-	() () () () () () () () () ()
Becky B. Fiftermans	RONDALISTURY TUPLES	The state of the s
ERIC HANKINS	Presons frage Ra Randallistam Market Gip Sunset Ridge Rd	
Michael CARR	Handallstown Ells	1 Production
LEDIA MATIMORE	Radalla grown Mining	1/10/10 Restance
Michael Stimore		
William Dent	10 Suncise Ct. Randaliston	Naurence & White
Lawrence White	\$	Philos Santa
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PROSER WITHERSPOON	I WAD CIDET Woder Ke	
taylette Withelston	23 SUNTISE CON NO 21133	
CAN STUMBER	3 SUNRISE GT	B/Bull
(GAY SZYMANSK)	THE COURSE OF THE PROPERTY OF	
		<i>" " ((((((((((</i>

Sunset Ridge Community Association 3681 Offutt Road P.O. Box 118 Randalistown, MD 21133

August 30,1996

Be it known that on this date, August 30,1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

Name	Address	Signature
Julius MASON	9117 Sunset Ridge Rd	Julia Produsor
Linda Mason	9117 Sunset Ridge Ro	Linda Mason
James Johnson	1115 SUNSERBJERH	James Jahnson
Roby Washington	9119 Sunset Ragel	Kaleya Warlet
	19119 Sunset Ridget	
Simmie H.JUHNON	91215UNSet Ridge 1	6. Junie IMPhones
HUNIEM ACTOHILO	191215UNSERRiVier	A. Algerianal Gokpson
Charles Byed	9/13 SUNSOF RIDGERO	1 Comments
GLONGA G MASON	9189 SUNSET BOLLO RD	Gloria Dollasia
RAYMOND GRIFFITT	-910/SUNSet ROGERO	hamil Enfler
MATTACECHOISTIAN	910050NEET RIFE	Wallace Arishan
Ed-TillERY	9122 SUNSET RIGGI	Edward Tillery
Lean RHiggingson	9135 Sunset ridge	Lan Canada
[hutte L. Jarris	9141 Sunset Ridge Ro	Maris
Deborah Blackwell	9143 Sunset Ridge Kl	
Joey Blackwell	9143 Sunget Roles Rel	San Machille
Mary Bennon	4013 OGGHT PCL.	Mary Dayenos
Frances I've Bannon	4013 ORutt Rd.	Ement & Dampo
Dlodep Wym	2/ Surjuse: O.	R Dudip Wann
Cherley Jones	25 SINRISK 1-7	Carly Clones
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Sunset Ridge Community Association 3681 Offutt Road P.O. Box 118 Randallstown, MD 21133

August 30,1996

Be it known that on this date, August 30,1996, The Sunset Ridge Community Association is petitioning the Baltimore County Zoning Board to not grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

Name	Address	Signature
D. F. Yoes	24 Sunrise Court	Kelfeeld Jopan Ja
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Mary Harks	15 Juniese Count	May Mayly
Robin Stewart-Bey	5 Sunrise Court	Walin Alewant By
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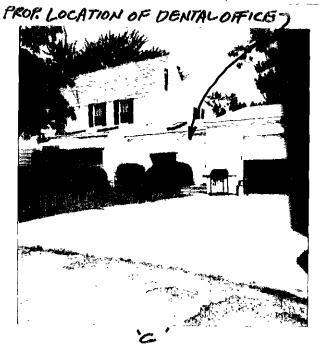
SUNSET RIDGE DEVELOPMENT



B 9127 WINANDS ROAD 6/13/96 KW



9127 WINANDS ROAD\$ 6/18/96EN



9127 WINANDS ROAD
6/13/96 KW



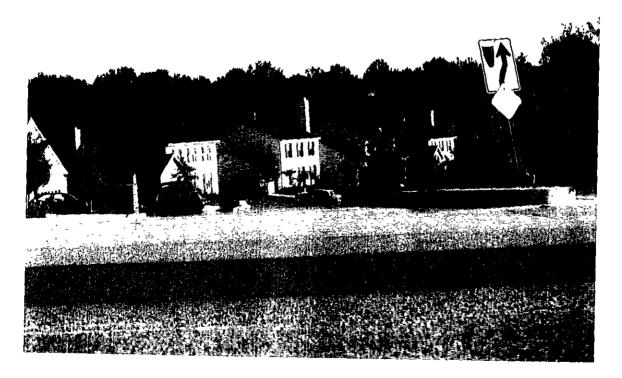
9127 WINANDS ROAD 6/18/96 KW







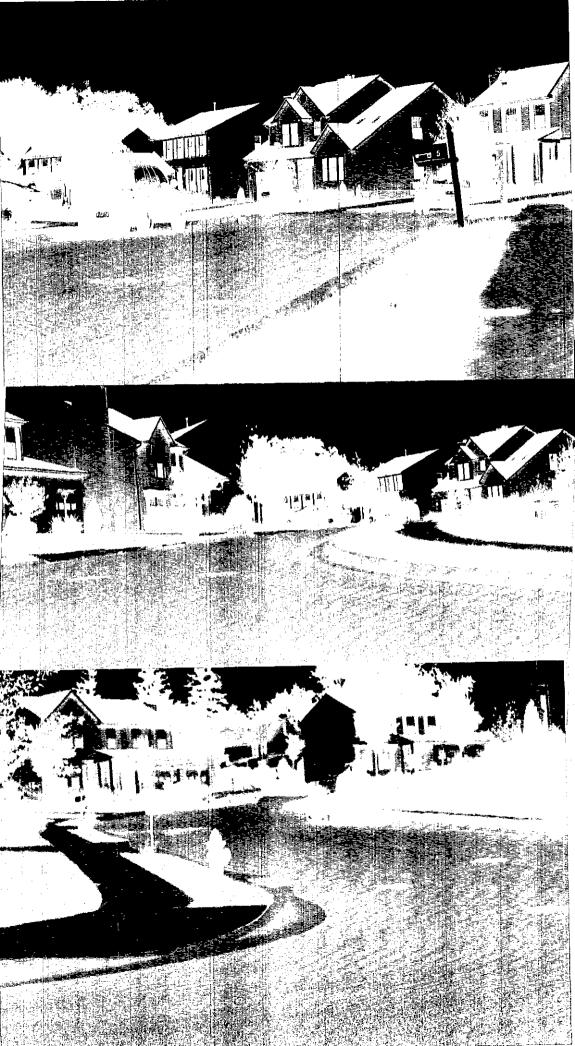


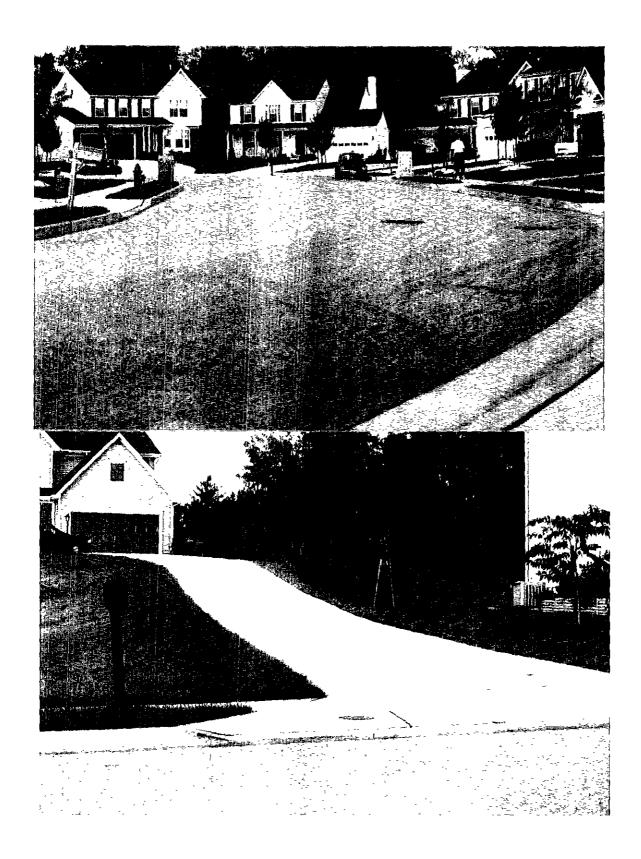








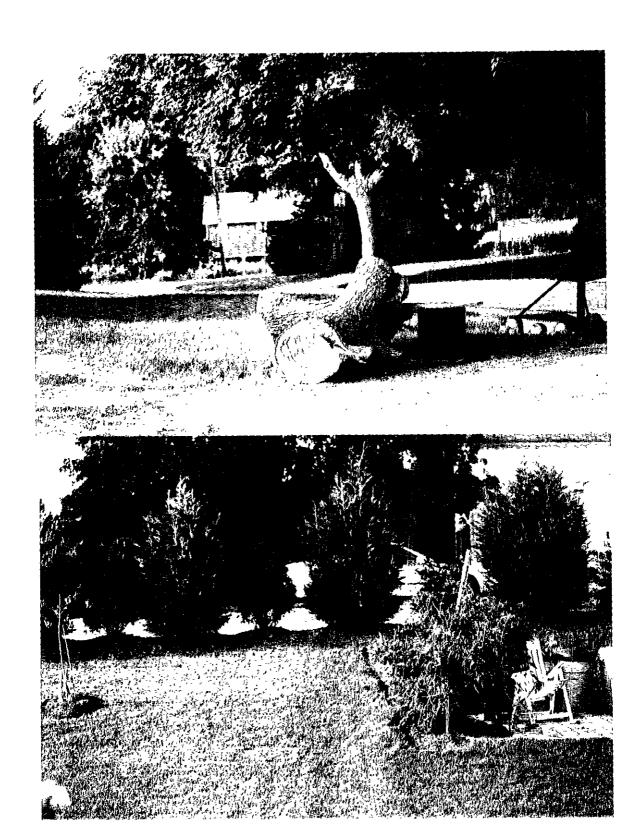




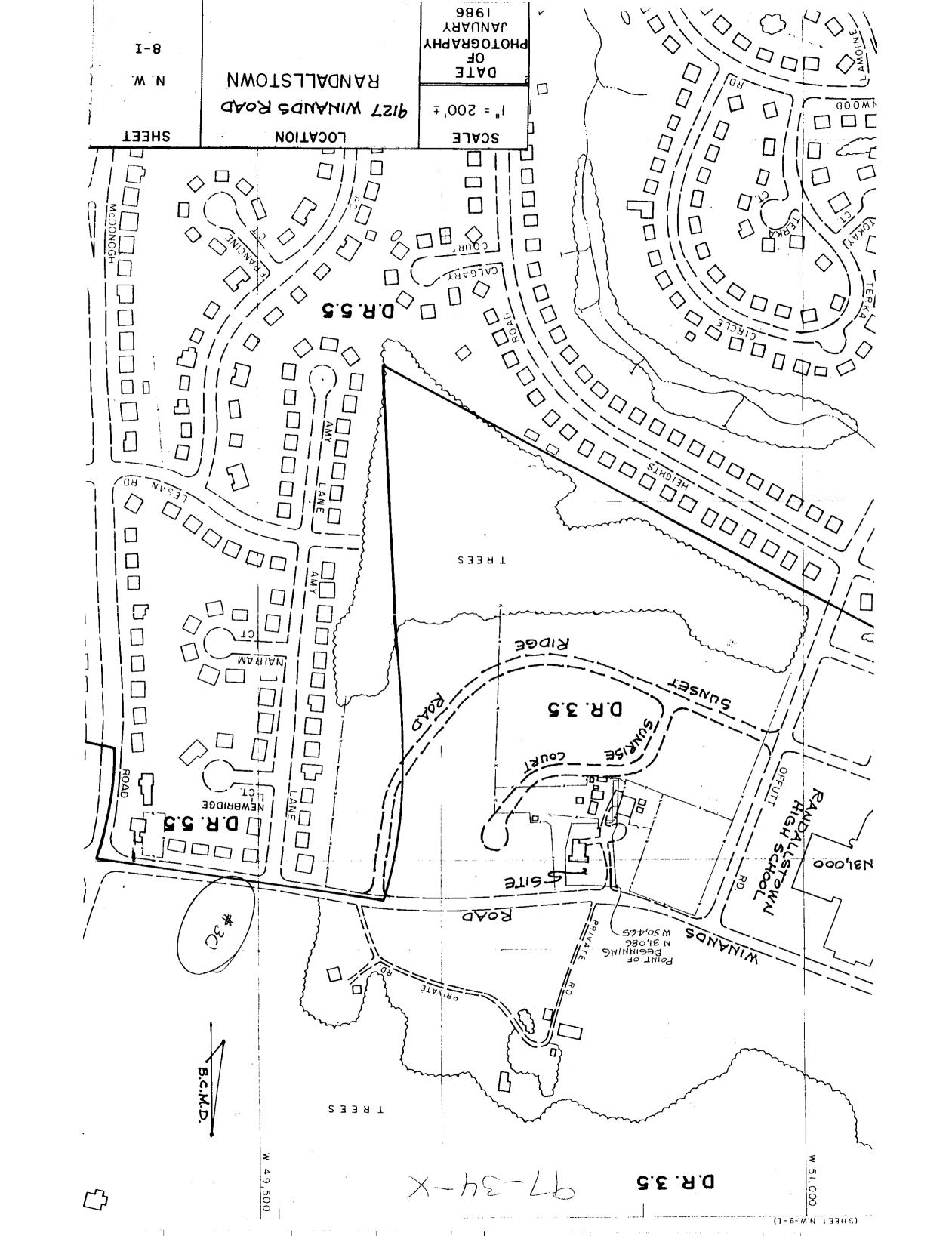


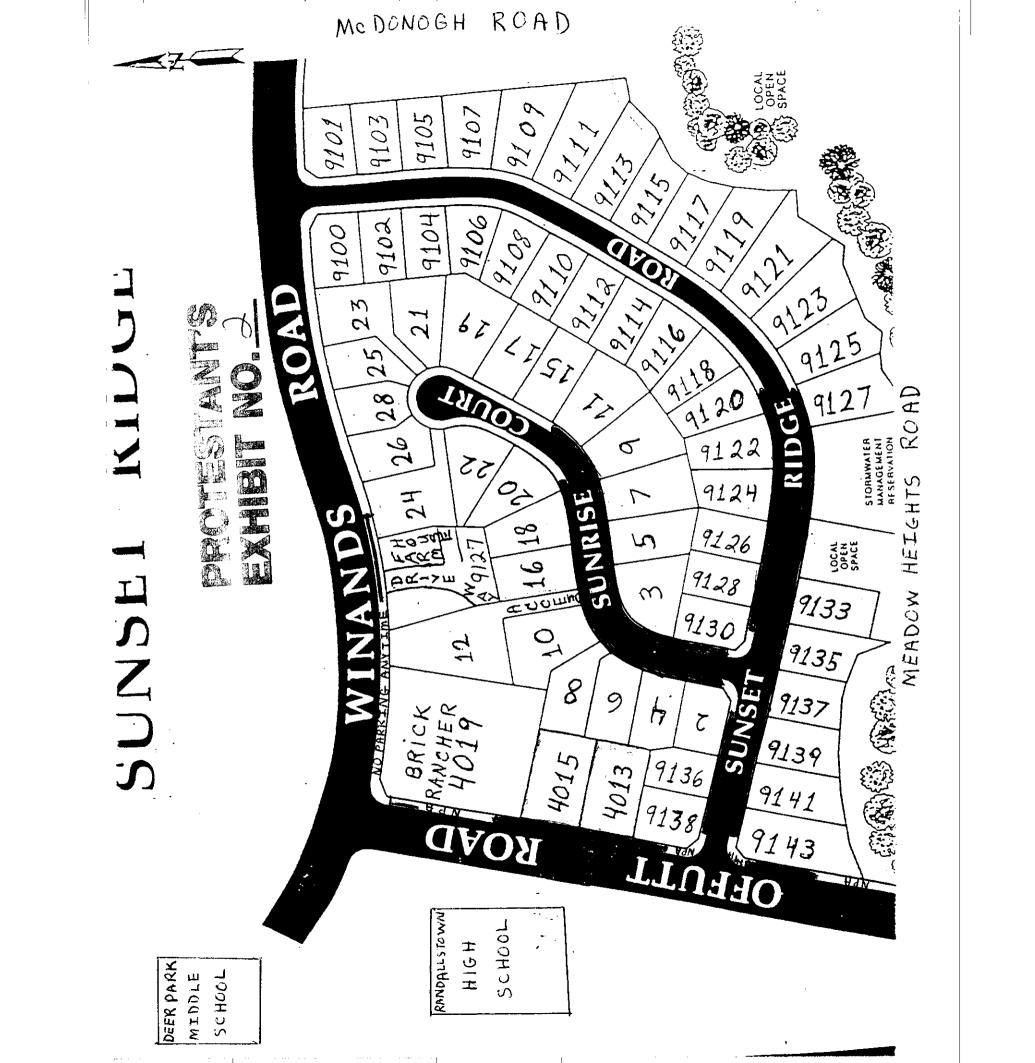








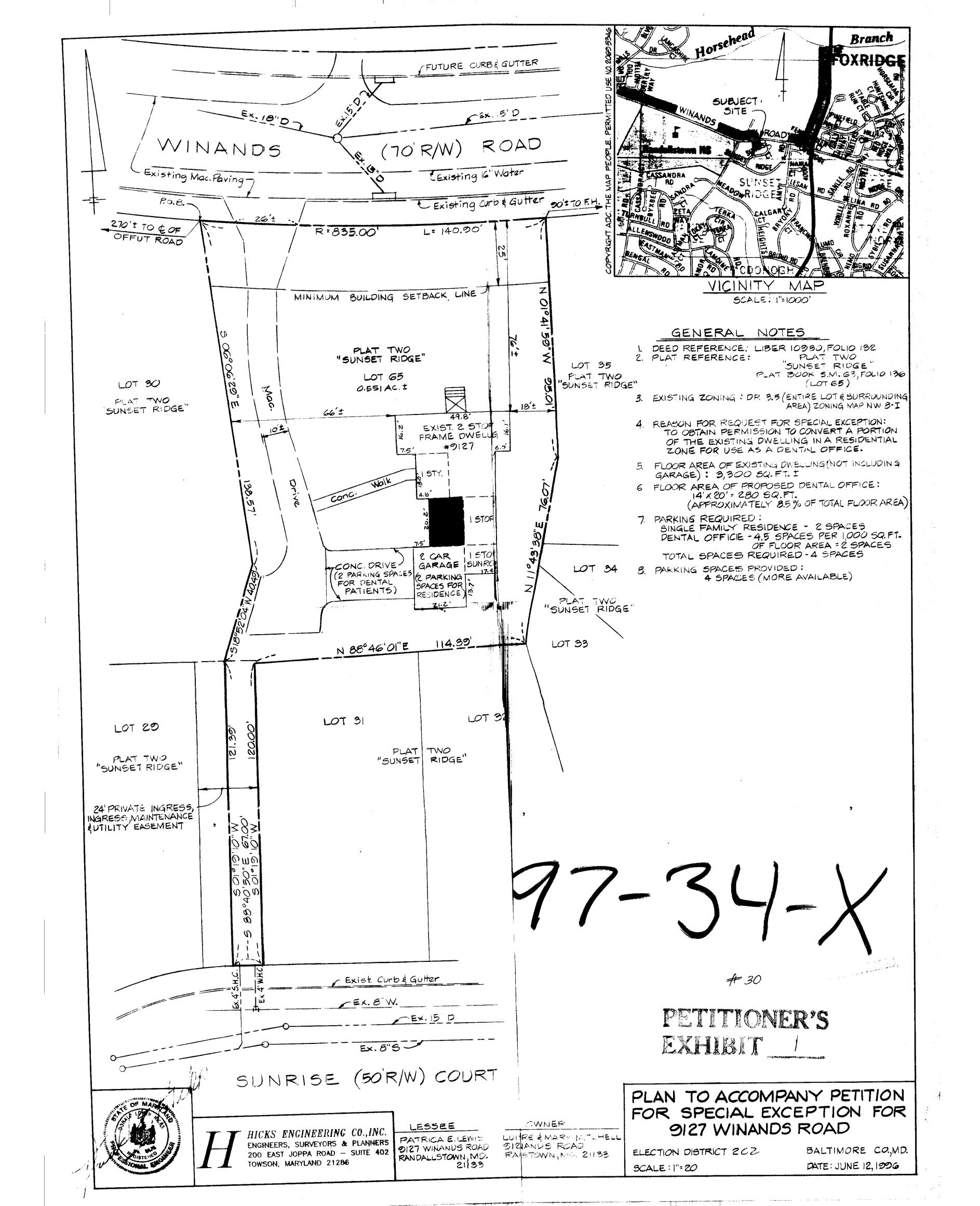




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* BEFORE THE IN THE MATTER OF THE APPLICATION OF * COUNTY BOARD OF APPEALS LUIS F. GEORGE AND MARY H. MITCHELL -LEGAL OWNERS; AND PATRICIA E. LEWIS, DDS -CONTRACT LESSEE /PETITIONERS BALTIMORE COUNTY FOR A SPECIAL EXCEPTION ON PROPERTY LOCATED ON THE SOUTH

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SIDE WINANDS ROAD, 270' EAST * CASE NO. 97-34-X OF OFFUTT RD (9127 OFFUTT RD) 2ND ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT * * * * * * * *

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner dated September 11, 1996 in which the Petition for Special Exception was denied.

WHEREAS, the Board is in receipt of a letter of dismissal filed by Francis X. Borgerding, Jr., Esquire, Counsel for Appellants /Petitioners, dated March 5, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellants requests that the appeal filed in this matter be dismissed as of March 5, 1997;

IT IS HEREBY ORDERED this 12th day of March , 1997 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of _______,
1996, a copy of the aforegoing was mailed, postage prepaid, to:

Mr. Andrei Stewart, President

Randallstown, Maryland 21133

Peter Max Zimmerman, Esquire

400 Washington Avenue Towson, Maryland 21204

3681 Offutt Road

P. O. Box 118

Court House

Sunset Ridge Community Association, Inc.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Kristine K. Howanski, Acting Chairman

FRANCIS X. BORGERDING, JR. Attorney at Law

MERCANTILE-TOWSON BLDG - SUITE 600 409 WASHINGTON AVE. Towson, MD 21204 OFFICE (410) 296-6820 TELEFAX (410) 296-6884

Member of Maryland and District of Columbia Bar

March 5, 1997

County Board of Appeals of Baltimore County Old Court House, Room 49 400 Washington Avenue Towson, Maryland 21204

RE: Case No.: 97-34-X In the Matter of Luis F. George and Mary H. Mitchell, Legal Owners; and Patricia E. Lewis, D.D.S., Contract Lessee 9127 Winands Road Randallstown, Maryland 21117 Second Election District; Second Councilmanic District

Gentlemen/Ladies:

This correspondence is being written on behalf of the Appellants/Petitioners to request a dismissal of the abovereferenced appeal now set for hearing on Thursday, March 13, 1997 at 10:00 A.M.

Thank you very much for your cooperation with regard to this

Very truly yours, FRANCIS X. BORGERDING, JR.

cc: Patricia E. Lewis, D.D.S. Luis F. George and Mary H. Mitchell J. Carroll Holzer, Esquire

99 J. - 1- CC1143

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE S/S Winands Road, 270' E of the * DEPUTY ZONING COMMISSIONER c/l of Offutt Road (9127 Winands Road) * OF BALTIMORE COUNTY 2nd Election District 2nd Councilmanic District

* Case No. 97-34-X Luis F. George and Mary H. Mitchell, Legal Owners; and * Patricia E. Lewis, D.D.S., Contract Lessee

* * * * * * * * * * FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 9127 Winands Road, located in the vicinity of Offutt Road and the Sunset Ridge Community in Randallstown. The Petition was filed by the owners of the property, Luis F. George and Mary H. Mitchell, and the Contract Lessee, Patricia E. Lewis, D.D.S. The Petitioners seek a special exception to permit a dental office within a residential dwelling, in accordance with the site plan submitted which was accepted and marked into evidence as Petitioner's

Appearing at the hearing on behalf of the Petition were Luis George, owner of the property, Dr. Patricia Lewis, Contract Lessee, and Kevin White, Professional Engineer who prepared the site plan for this Appearing in opposition to the request was Mr. Andrei Stewart, President of the Sunset Ridge Community Association.

Testimony and evidence offered revealed that the subject property consists of 0.551 acres, more or less, zoned D.R. 3.5 and is improved with a large, two-story frame dwelling, and attached two-car garage. Dr. Lewis testified that she has been a dentist since 1981 and until two weeks ago, had operated her dental practice from a location in south Baltimore for the past 13 years. Dr. Lewis recently leased the subject property from Mr.

George and Ms. Mitchell and would like to relocate her practice to the

Appearing in opposition to the Petitioners' request was Andrei Stewart. Mr. Stewart introduced as Protestant's Exhibit 1 a Petition of Opposition which had been signed by many of the residents of the Sunset Ricge Community. He also submitted as Protestant's Exhibit 2, a map of the neighborhood and as Protestant's Exhibit 3, photographs of several of the houses within that neighborhood. Mr. Stewart testified that he and the community are opposed to Dr. Lewis establishing a dental practice at the subject location. The neighborhood is opposed to a commercial operation taking place in their residential neighborhood and the traffic and parking problems that would be generated by the proposed use. Mr. Stewart expressed their further concerns over the storage of drugs and syringes that are kept on the premises and used in conjunction with the dental practice. They are also concerned over the disposal of the medical waste generated by virtue of a dental practice.

Mr. Stewart further testified that they are experiencing problems with students who attend Randallstown High School who loiter in their neighborhood and fear that allowing a dental practice to exist in the neighborhood would give those students an excuse to loiter in that they could say they were waiting for a dental appointment. The association is strongly opposed to the granting of any special exception relief.

It should also be noted that several comments were submitted from the various Baltimore County reviewing agencies. In particular, the Office of Planning submitted a comment dated August 28, 1996 wherein they recommend denial of the special exception request. The Planning Office is opposed to the special exception in that they believe the operation of a

dental practice at the subject location would have an adverse impact on

the Petitioners as well as Mr. Stewart, and in consideration of the com-

ments submitted by the Office of Planning, I am persuaded to deny the

which would show that the proposed use met the prescribed standards and

requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the

Petitioner has not shown that the proposed use would be conducted without

real detriment to the neighborhood and would not adversely affect the

public interest. The facts and circumstances show that the proposed use

at the particular location described by Petitioner's Exhibit 1 would have

an adverse impact above and beyond that inherently associated with such a

special exception use, irrespective of its location within the zone.

general welfare of the locality, and will tend to create congestion in

roads, streets, or alleys therein. It will be inconsistent with the pur-

poses of the property's zoning classification, and inconsistent with the

public hearing on this Petition held, it appears that the requirements of

The proposed use will be detrimental to the health, safety, or

Pursuant to the advertisement, posting of the property, and

After reviewing all of the testimony and evidence presented by

The Petitioner had the burden of adducing testimony and evidence

the surrounding residential community.

Schultz v. Pritts, 432 A.2d 1319 (1981).

spirit and intent of the B.C.Z.R.

special exception request.

and Luis F. George and Mary H. Mitchell

IN RE: PETITION FOR SPECIAL * BEFORE THE EXCEPTION S/S Winands Road, 270'E of the c/1 of Offutt Road (9127 Winands Road) * 2nd Election District

District

captioned case.

DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY * Case No.: 97-34-X

Luis F. George and Mary H. Mitchell, Legal Owners; and Patricia E. Lewis, D.D.S., Contract Lessee

2nd Councilmanic

* * * * * * * * * * * *

NOTICE OF APPEAL

Please enter an appeal to the Board of Appeals of Baltimore County, on behalf of Patricia E. Lewis, D.D.S. and Luis F. George and Mary H. Mitchell, from the September 11, 1996 decision of the Deputy Zoning Commissioner for Baltimore County in the above-

> 409 Washington Avenue, Suite 600 Towson, Maryland 21204 (410) 296-6820 Attorney for Patricia E. Lewis, D.D.S.

Section 502.1 have not been met and that the health, safety, and general welfare of the community shall be adversely affected. Therefore, the

- 3-

Suite 600

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49

400 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

(410) 887-3180

Francis X. Borgerding, Jr., Esquire DiNENNA AND BRESCHI

Mercantile-Towson Building

409 Washington Avenue

Dear Mr. Borgerding:

in the subject matter.

cc: Patricia E. Lewis, DDS

Dr. Paul Dubansky

Lawrence E. Schmidt

Pat Keller

Printed with Soybean laik on Recycled Paper

Luis F. George and Mary H. Mitchell

J. Carroll Holzer, Esquire

Arnold Jablon, Director /PDM

J. Kevin Wight /Hicks Engineering Co.

People's Counsel for Baltimore County

Virginia W. Barnhart, County Attorney

Towson, MD 21204

March 12, 1997

Control of the African British and the Control of t

Very truly yours,

Kathleen C. Bianco

Legal Administrator

Patricia E. Lewis, DDS, et al

RE: Case No. 97-34-X

Enclosed please find a copy of the Order of Dismissal issued

this date by the County Board of Appeals of Baltimore County

Andrei Stewart, President /Sunset Ridge Comm Assn

relief requested in the special exception should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this ____ day of September, 1996 that the Petition for Special Exception to permit a dental office within a residential dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

Billion with and marine the bear to want hat bear in a doll in

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

- 4-

TMK:bjs

Deputy Zoning Commissioner

the Rotraco for Baltimore County

Ms. Mary H. Mitchell Dr. Patricia E. Lewis 9127 Winands Road Owings Mills, Maryland 21117 RE: PETITION FOR SPECIAL EXCEPTION

> Case No. 97-34-X Dear Mr. George, Ms. Mitchell & Dr. Lewis:

(9127 Winands Road)

S/S Winands Road, 270' E of the c/l of Offutt Road

2nd Election District - 2nd Councilmanic District

Luis F. George and Mary H. Mitchell, Legal Owners; and

Patricia E. Lewis, D.D.S., Contract Lessee

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied in accordance with the attached Order.

Baltimore County Government Zoning Commissioner
Office of Planning and Zoning

September 11, 1996

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

> Very truly yours, hurthy Hotroco TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

(410) 887-4386

Suite 112 Courthouse

Towson, MD 21204

400 Washington Avenue

Mr. Luis F. George

cc: Mr. J. Kevin Wight, Hicks Engineering Company 200 E. Joppa Road, Suite 402, Towson, Md. 21286 Mr. Andrei Stewart, President, Sunset Ridge Comm. Assoc., Inc. 3681 Offutt Road, P.O. Box 118, Randallstown, Md. 21133 People's Counsel; Case File

Printed with Scybean Ink

BEGINNING at a point on the south side of Winands Road which is 70 feet wide at the distance of 270 feet, more or less, east of the centerline of Offutt Road which is 70 feet wide. Thence the following courses and distances:

ZONING DESCRIPTION

1) South 06°06'29" East, 138.57 feet,

2) South 18°52'04" West, 40.49 feet,

3) South 01°19'10" West, 121.07 feet,

4) South 88°40'50" East, 12.00 feet,

5) North 01°19'10" East, 120.00 feet,

6) North 88°46'01" East, 114.39 feet,

7) North 11°43'28" East, 76.07 feet,

8) North 01°41'59" West, 95.01 feet,

9) Curve to the right - R = 835.00 feet, L = 140.90 feet to the place of beginning as recorded in deed - Liber 10890, Folio 132.

BEING Lot No. 65 in the subdivision of "Sunset Ridge" (Plat Two) as recorded in Baltimore County Plat Book S.M. No. 63, Folio 136 and containing 0.551 acres of land. Also known as 9127 Winands Road and located in the Second Election District of Baltimore County, Maryland.

30



97-34-X

CERTIFICATE OF STING ZONING DEPARTMENT OF BALTIMORE COUNTY District In t Date of Posting 8/9/96 Petitioner Luis F. George + Mary H-M: Tchall Location of property: 9127 Window Ad. Location of Sine Facing Toodwood on property being tons de CERTIFICATE OF PUBLICATION NOTICE OF HEARING THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive Case #97-34-X (tern 30) 9127 Wissands Road S/S Wissands Road, 270' +f- E of et Offset Road 2nd Election District 2nd Councilmanic Legal Owner(s): Luis F. George and Mary H. weeks, the first publication appearing on 8/8, 19 96. Mitchell
Special Exceptions for a dental office within a residential dwelling. Hearing: Tuesday, September 3, 1996 at 10:00 a.m. in Sm. 118, Old Counthouse. THE JEFFERSONIAN. (2) For information concerning the File and/or Hearing.
Please Call 887-3391.

8/149 August 6. C72512

RE: PETITION FOR SPECIAL EXCEPTION 9127 Winands Road, S/S Winands Road, 270'+/- E of c/l Offutt Road 2nd Election District, 2nd Councilmanic Legal Owners: Luis George and Mary Mitchell Contract Purchaser/Lessee: Patricia E. * Lewis, D.D.S. Petitioners * * * * * * * * * * * ENTRY OF APPEARANCE Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. People's Counsel for Baltimore Count Claude S. Danilio CAROLE S. DEMILIO

> CERTIFICATE OF SERVICE I HEREBY CERTIFY that on this Aday of August, 1996, a copy

(410) 887-2188

Deputy People's Counsel

Room 47, Courthouse

Towson, MD 21204

400 Washington Avenue

of the foregoing Entry of Appearance was mailed to J. Kevin Wight, 200 E. Joppa Road, Suite 402, Towson, MD 21286, representative for Petitioners.

eter Mar Cimmuman

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 97-34-X

Petition for Special Exception to the Zoning Commissioner of Baltimore County for the property located at 9127 Winands Road which is presently zoned D.R.-3.5 This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for A dental office within a Residential Dwelling. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the Luis F. George Type or Print Name) 9127 Winands Road Mary H. Mitchell Name, Address and phone number of representative to be contacted.

Baltimore County Department of Permits and Development Management

Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Saltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR For newspaper advertising: Itom No.: 30 Petitioner: PATRICIA E. LEWIS, D.D.S. Location: 9127 WINANDS ROAD PLEASE FORWARD ADVERTISING BILL TO: NAME: PATRICIA & LEWIS, D.D.S. ADDRESS: 9127 WINANDS ROAD

OLINOS MILLS, MD. Z1133 PHONE NUMBER: (410) 355-6811

CERTIFICATE OF POSTING

J. Kevin Wight

Towson, MD 21286

ESTIMATED LENGTH OF HEARING

200 E. Joppa Road, Suite 402 (410)-494-0001

OFFICE USE ONLY

Date of Hearing/Closing:

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

(Month, Day, Year)

10-21-91

(Signature of Sign Poster and Date)

CAWEI (Printed Name) (Telephone Number)

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BALTIME COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 01A00#0138MICHRC PA COLLETOWNID-15-96

TO: PUTULENT PUBLISHING COMPANY August 8, 1996 Issue - Jeffersonian Please foward billing to: Patricia I. Lewis, D.D.s. 9127 Winands Road Owings Mills, Maryland 21133 NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 105 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 Boom 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows: CASE MINESER: 97-34-I (Item 30) 9127 Winands Road S/S Winands Road, Z/O'+/- E of c/l Offutt Road 2nd Election District - 2nd Councilmanic Legal Owner(s): Lais F. George and Mary H. Mitchell Special Exception for a dental office within a residential dwelling.

HEARING: TIPSTEY, SPITTEER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHOOL

ZONING COMMISSIONER FOR BULTIMORE COUNTY

NOTES: (1) HEARTNES LEE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INCOMPARISON CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

BALTIMORE COUNTY, MARYLAND

Arnold Jablon, Director

Robert W. Bowling, Chief

SUBJECT: Zoning Advisory Committee Meeting

for August 12, 1996

Management

Item No. 030

RAB:HJO:jrb

Department of Permits & Development

Development Plans Review Division

An adequate on-site maneuvering area must be provided.

INTEROFFICE CORPESPONDENCE

The Development Plans Review Division has reviewed the subject

moning item. The parking should be buffered from the adjacent residences.

Date: August 9, 1996

Baltimore County Department of Permits and Development Management August 2, 1996 NOTICE OF HEARING

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public bearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-34-X (Item 30) 9127 Winands Road S/S Winands Road, 2701+/- E of c/l Offuit Road 2nd Election District - 2nd Councilments Legal Owner(s): Luis P. George and Mary H. Mitchell Special Exception for a dental office within a residential dwelling.

HEARING: TUESDAY, SEPTEMBER 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

oc: Luis 7. George and Mary H. Mitchell J. Kevin Wight Patricia E. Lewis, D.D.S.

MOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARTHES ARE HANDICAPPED LOCESSIME; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCESSES THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

CASE #: 97-34-X

County Board of Appeals of Baltimore County OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(410) 887-3180 Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

December 13, 1996

NOTICE OF ASSIGNMENT

IN MATTER OF: LUIS F. GEORGE AND MARY H. MITCHELL -Legal Owners; and PATRICIA E. LEWIS, D.D.S. -Contract Lessee 9127 Winands Road Randallstown, MD 21117

2nd Election District; 2nd Councilmanic (Petition for Special Exception DENIED.)

THURSDAY, MARCH 13, 1997 at 10:00 a.m. ASSIGNED FOR:

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco Legal Administrator

cc: Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq. Patricia E. Lewis, D.D.S. Appellants /Petitioners : Luis F. George and Mary H. Mitchell

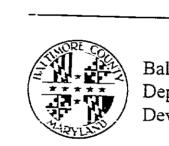
J. Kevin Wight /Hicks Engineering Co. Counsel for Protestants :

J. Carroll Holzer, Esquire Andrei Stewart, President Sunset Ridge Community Assn.

Dr. Paul Dubansky

Protestants

People's Counsel for Baltimore County Arnold Jablon, Director /PDM Pat Keller Virginia W. Barnhart, Co Atty Lawrence E. Schmidt



Department of Permits and

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

August 29, 1996

Mr. and Mrs. Luis George 9127 Winands Road Owings Mills, MD 21133

> RE: Item No.: 30 Case No.: 97-34-X Petitioner: Luis George, et ux

Dear Mr. and Mrs. George:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

> Sincerely, Zoning Supervisor

> > ZONE21B

Printed with Soybean link on Recycled Paper

BALTINORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

| TO: Arnold Jablon, Director, PDM | | | August 28, 1996 |
|---|-----------------|--|-----------------|
| FROM: Armold F. "Pat" Keller, III, Director, OP | | | |
| SUBJECT: 9127 Winands Road | | | |
| INFORMATION: | | | |
| Item Number: | 30 | | |
| Petitioner: | George Property | | |
| Property Size: | | | |
| Zoning: | <u>DR 3.5</u> | | |

The site is located in a Master Plan designated "Community Conservation" area. The Master Plan states, "Proposals encouraging extra traffic harmful to the neighborhood should be avoided."

It is the opinion of this office that a special exception for an office use would be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health, safety and welfare of the community.

Special exception office uses impact neighborhoods, bringing in more traffic and extensive parking areas which result in a character more suited to a business

community than to a residential community. Therefore, the Office of Planning recommends denial of the applicant's request.

Prepared by: Shin M. Long

Division Chief: Canyl Klins

AFK/JL/1w ITEM30/PZONE/ZAC1

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WCR/re

Attachment(s)

which the state with and and Blue to have down - Late of

DATE: 08/07/96

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 05. 1996.

Zoning Agenda: Item No.: SEE BELOW

Gentleman:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, in REFERENCE TO THE FOLLOWING ITEM NUMBERS: 26.27,28,29,30,81,32,34, 35.34.37.38,39 AND 41.

REVIEWER: _T. ROBERT P. SAUERWALD Fire Marshal Office. PHONE 887-4881. MS-1102F

cc: File Printed with Soybean inson Recycled Paper

Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

October 15, 1996

Mr. J. Kevin Wight Hicks Engineering Company 200 E. Joppa Road, Suite 402 Towson, MD 21286

> Exception S/S Winands Road, 270' E of the c/l of Offut Road (9127 Winands Road) 2nd Election District 2nd Councilmanic District Luis F. George and Mary H. Mitchell - Legal Owners Patricia E. Lewis, D.D.S. - Contract Lessee

> > Case No. 97-34-X

Dear Mr. Wight:

Please be advised that an appeal of the above-referenced case was filed in this office on October 10, 1996 by Francis X. Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, D.D.S., Luis R. George and Mary H. Mitchell. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

People's Counsel

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

R. Bruce Seeley

Permits and Development Review SUBJECT: Zoning Advisory Committee Meeting Date: Quy 5, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

BRUCE2/DEPRM/TXTSBP

Maryland Department of Transportation State Highway Administration

David L. Winstead Secretary Hal Kassoff Administrator

8-5-96

Ms. Joyce Watson HE: Baltimore County Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours, Ronald Burns, Chief Engineering Access Permits Division

My telaphone number is ______

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Tol! Free

Mailing Address: P.O. Box 717 • Battimore, MD 21203-0717

Petition for Special Exception S/S Winands Road, 270' E of the c/l of Offutt Road (9127 Winands Road) 2nd Election District - 2nd Councilmanic District Luis F. George and Mary H. Mitchell - Legal Owners Patricia E. Lewis, D.D.S. - Contract Lessee Case No. 97-34-X

Petition for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners' Exhibit: 1 - Plan to Accompany Petition for Special Exception

3 - 25 Photographs

Protestants' Exhibits: 1 - Petition with Forty-six Signatures 2 - Neighborhood Map

Four Photographs not Marked as Exhibits

Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

Notice of Appeal received on October 10, 1996 from Francis X. Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George and Mary H. Mitchell

c: Francis X. Borgerding, Jr., Esquire, Mercantile Building, Suite 600, 409 Washington Avenue, Towson, MD 21204 Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H. Mitchell, 9127 Winands Rd., Owings Mills, MD 21133 Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road, Suite 402, Towson, MD 21286 Mr. Andrei Stewart, President, Sunset Ridge Community Association, Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133 People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner Arnold Jablon, Director of PDM

Case No. 97-34-X

SE -To permit dental office within a residential

9/11/96 -Deputy Zoning Commissioner's Order in which Petition for Special Exception was DENIED.

Sunset Ridge Community Assn.

10/24/96 -Entry of Appearance filed by J. Carroll Holzer, Esquire, on behalf of Andrei Stewart, President, Sunset Ridge Community Association, both individually on behalf of Mr. Stewart and on behalf of the Sunset Ridge

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

George Property

The site is located in a Master Plan designated "Community Conservation" area

It is the opinion of this office that a special exception for an office use would

be highly undesirable at this particular location. The subject site is well into the neighborhood, and such a use would potentially be detrimental to the health,

Special exception office uses impact neighborhoods, bringing in more traffic and

extensive parking areas which result in a character more suited to a business

community than to a residential community. Therefore, the Office of Planning

The Master Plan states, "Proposals encouraging extra traffic harmful to the

DATE: August 28, 1996

TO: Arnold Jablon, Director, PDM

SUBJECT: 9127 Winands Road

neighborhood should be avoided."

safety and welfare of the community.

recommends denial of the applicant's request.

Petitioner:

AFK/JL/Iw

ITEM30/PZONE/ZAC1

Property Size:

FROM: Arnold F. "Pat" Keiler, III, Director, OP

12/13/96 -Notice of Assignment for hearing scheduled for Thursday, March 13, 1997 at 10:00 a.m. sent to following:

Counsel for Appellants /Petitioners: Francis X. Borgerding, Jr., Esq. Appellants /Petitioners : Patricia E. Lewis, D.D.S. Luis F. George and Mary H. Mitchell J. Kevin Wight /Hicks Engineering Co. Counsel for Protestants : J. Carroll Holzer, Esquire Andrei Stewart, President Protestants

Dr. Paul Dubansky People's Counsel for Baltimore County

Arnold Jablon, Director /PDM Pat Keller Lawrence E. Schmidt Virginia W. Barnhart, Co Atty

3/05/97 -Request for dismissal of appeal filed by F. Borgerding, Counsel for Appellants /Petitioners. Order of Dismissal to be issued by CBA.

c: Mr. Andrei Stewart

- - ----

Dr. Paul Dubansky 1 W. Pennsylvania Avenue Towson, MD 21204

Petition for Special Exception S/S Winands Road, 270' E of the c/l of Offutt Road (9127 Winands Road) 2nd Election District - 2nd Councilmanic District Luis F. George and Mary H. Mitchell - Legal Owners

Entry of Appearance of People's Counsel

\ Four Photographs not Marked as Exhibits

Suite 402, Towson, MD 21286

J CARROLL HOLZER ESQUIRE

305 WASHINGTON AVENUE SUITE 502

HOLZER AND LEE

TOWSON MD 21204

Zoning Advisory Committee Comments

Petition for Special Exception

Description of Property

Certificate of Posting

and Marv H. Mitchell

Certificate of Publication

Patricia E. Lewis, D.D.S. - Contract Lessee

Case No. 97-34-X

Petitioners' Exhibit: 1 - Plan to Accompany Petition for Special

Exception

Neighborhood Map

25 Photographs

, Deputy Zoning Commissioner's Order dated September 11, 1996 (Denied)

control X. Borgerding, Jr., Esquire, Mercantile Building, Suite

Patricia E. Lewis, D.D.S., Mr. Luis F. George and Ms. Mary H.

Inc., 3681 Offutt Road, P.O. Box 118, Randallstown, MD 21133

Mr. J. Kevin Wight, Hicks Engineering Company, 200 E. Joppa Road,

Mr. Andrei Stewart, President, Sunset Ridge Community Association.

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner

Arnold Jablon, Director of PDM

Entered appearance 10/24/96 on

Sunset Ridge Comm. Assn., both

individually and on behalf of the

behalf of Andrei Stewart, Pres.

community association.

Borgerding, Jr., Esquire on behalf of Patricia E. Lewis, Luis F. George

Notice of Appeal received on October 10, 1996 from Francis X.

Mitchell, 9127 Winands Rd., Owings Mills, MD 21133

600, 409 Washington Avenue, Towson, MD 21204

People's Counsel of Baltimore County, M.S. 2010

Protestants' Exhibits: 1 - Petition with Forty-six Signatures

RE: Petition for Special

AJ:rye

on Recycled Paper

Printed with Soybean Ink



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

November 1, 1996

Dr. Paul Dubansky 1 W. Pennsylvania Avenue Towson, MD 21204

> RE: Case No. 97-34-X Luis F. George and Mary H. Mitchell /Legal Owners; Patricia E. Lewis, DDS /Contract Lessee -- Petitioners

Dear Dr. Dubansky:

In response to your telephone request, enclosed are copies of the following: (1) the Deputy Zoning Commissioner's Order of September 11, 1996 in which the subject Petition for Special Exception was denied; (2) the letter of appeal from Francis X. Borgerding, Jr., Esquire, filed on behalf of Petitioners; and (3) a letter of notification from Arnold Jablon, Director /PDM, advising that an appeal has been filed.

A hearing date has not yet been scheduled; however, that date should be some time early in 1997. I've noted the file with your name and address, and you will receive a copy of the Notice of Assignment when the hearing date has been set.

Should you have any further questions, please call me.

Very truly yours,

Kathleen C. Bianco Legal Administrator

Enclosures

IN THE MATTER OF

BEFORE THE

Luis F. George and Mary H. Mitchell

COUNTY BOARD OF APPEALS

* BALTIMORE COUNTY and Patricia E. Lewis, D.D.S.

9127 Winands Road, Randallstown * CASE NO. <u>97-34-X</u>

SUBPOENA

Please issue a Subpocha to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on Thursday, March 13, 1997 at 10:00a.m. at Room 48, located at the Old Courthouse, 400 Washington Avenue and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

> Witness: <u>Jeff Long</u> Address: Planning Office, County Courts Building, Towson

> > Name: J. Carroll Holzer Firm: Holzer and Lee Address: 305 Washington Avenue, Suite 502. Towson, Maryland 21204

825-6961 The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

> Karken Blanco County Board of Appeals of **Baltimore County**

Cost: \$ _____

Sheriff of Baltimore County

54.75 - - CIII L6

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director DATE: November 18, 1997 Permits & Development Management

Charlotte E. Radcliffe County Board of Appeals

SUBJECT: Closed File: Case No. 97-34-X
LUIS F. GEORGE AND MARY H. MITCHELL, L.O. and PATRICIA E. LEWIS, DDS -C.L. 2nd E; 2nd C

As no further appeals have been taken in the above captioned case, which was dismissed by Order dated March 12, 1997, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-34-X)

FRANCIS X. BORGERDING, JR. Attorney at Law MERCANTILE BUILDING - SUITE 600 409 Washington Avenue Towson, Maryland 21204 (410) 296-6820

FAX (410) 296-6884

96-5400

October 8, 1996

Arnold Jablon, Director Baltimore County Office of Permits & Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

> RE: Case No.: 97-34-X Petition for Special Exception for Property known as 9127 Winands Road Randallstown, MD 21117
> Petitioners: Luis F. George and Mary H.
> Mitchell, Legal Owners and
> Patricia E. Lewis, D.D.S.,
> Contract Lessee

Dear Mr. Jablon:

Enclosure

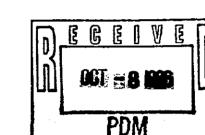
Member of Maryland and District of Columbia Bar

> Enclosed please find a Notice of Appeal to be filed in the above-referenced case on behalf of my clients, Patricia E. Lewis, D.D.S., Contract Lessee, and Luis F. George and Mary H. Mitchell, legal owners, of the above-referenced property. Please also find a check in the amount of \$285.00 made payable to Baltimore County, Maryland, to cover the cost of the appeal.

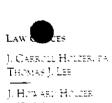
If you have any questions in relation to the above, please feel free to contact me.

> Very truly yours, FRANCIS X. BORGERDING, JR.

cc: Patricia E. Lewis, D.D.S. Luis F. George and Mary H. Mitchell









TOWKON OFFICE 325 Washington Avenue Towson, MD 21204 (410) 825-6961 FAX: (410) 825-4923

CARROLL COUNTY OFFICE 1315 LIBERTY ROAD Eldersburg, MD 21784 (410) 795-8556 FAX: (410) 795-5535

October 24, 1996

Robert Schuetz, Chairman Baltimore County Board of Appeals Old Courts Building Towson, Maryland 21204

> Re: Case No.: 97-34-X Petition for Special Exception for 9127 Winands Road

Dear Mr. Schuetz:

Please enter my appearance representing the Protestants in the above captioned matter and advise me of the hearing date when it is scheduled by the Board. Thank you for your cooperation.

CAWPDOC/SCHUETZ.LTR

Projestant's EXHIBIT NO. /

Sunset Ridge Community Association 3681 Offutt Road P.O. Box 118 Randalistown, MD 21133

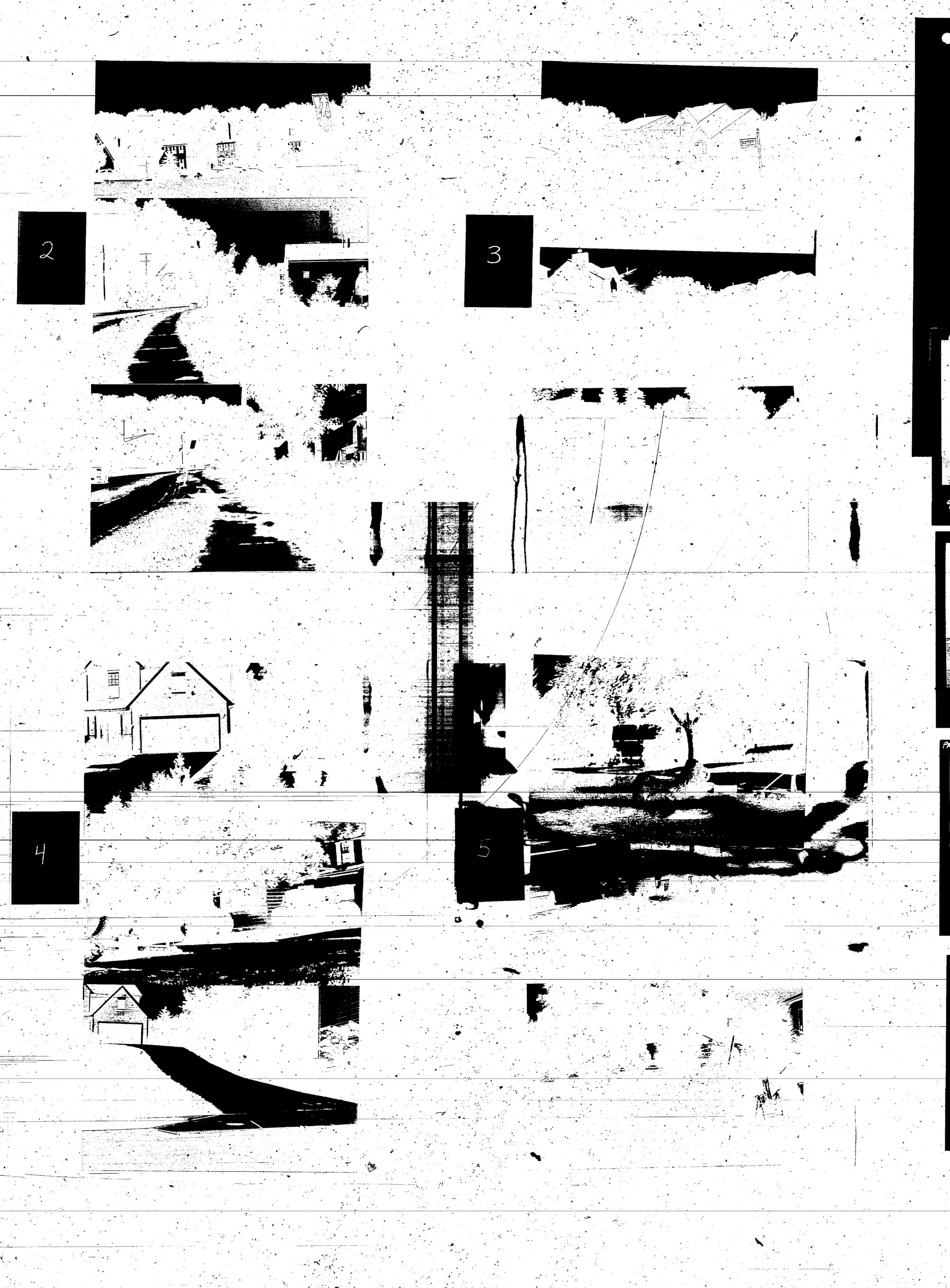
grant approval for the opening of the Dental Office of Dr. Patricia Vanstory-Lewis which will be located at 9127 Winands Road Owings Mills, MD 21117.

| Name | Address | Signature |
|------------------------|--|--------------------|
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RANDALLSTOWN, MD 21133 | andrei L. Stewart |
| Vera Bettune - Stewart | Rand-11stewn MD \$1133 | Mi AH IL- |
| DERROLL TEM YOU | KANDA KANN MI 21133 | Dieneelh It. |
| JEANNE ANDOLINA | 927 Sunset Rope D | Jane & Cholosena |
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Randallstown MD 21133 | N Ment Chilolina |
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| Becky B, Fitzsmans | 9111 Singet Robe Rd.
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| William Dent | 10 Sunrise Ct. Pantalistown | Will |
| Lawrence White | 16 Survise Ct | Naurence R. White |
| Philliplaps | 18 SUNPLISO CT | Phillip & Sample |
| PROSER WITHERS DOGA | Plos Sun ext Ridge Rd
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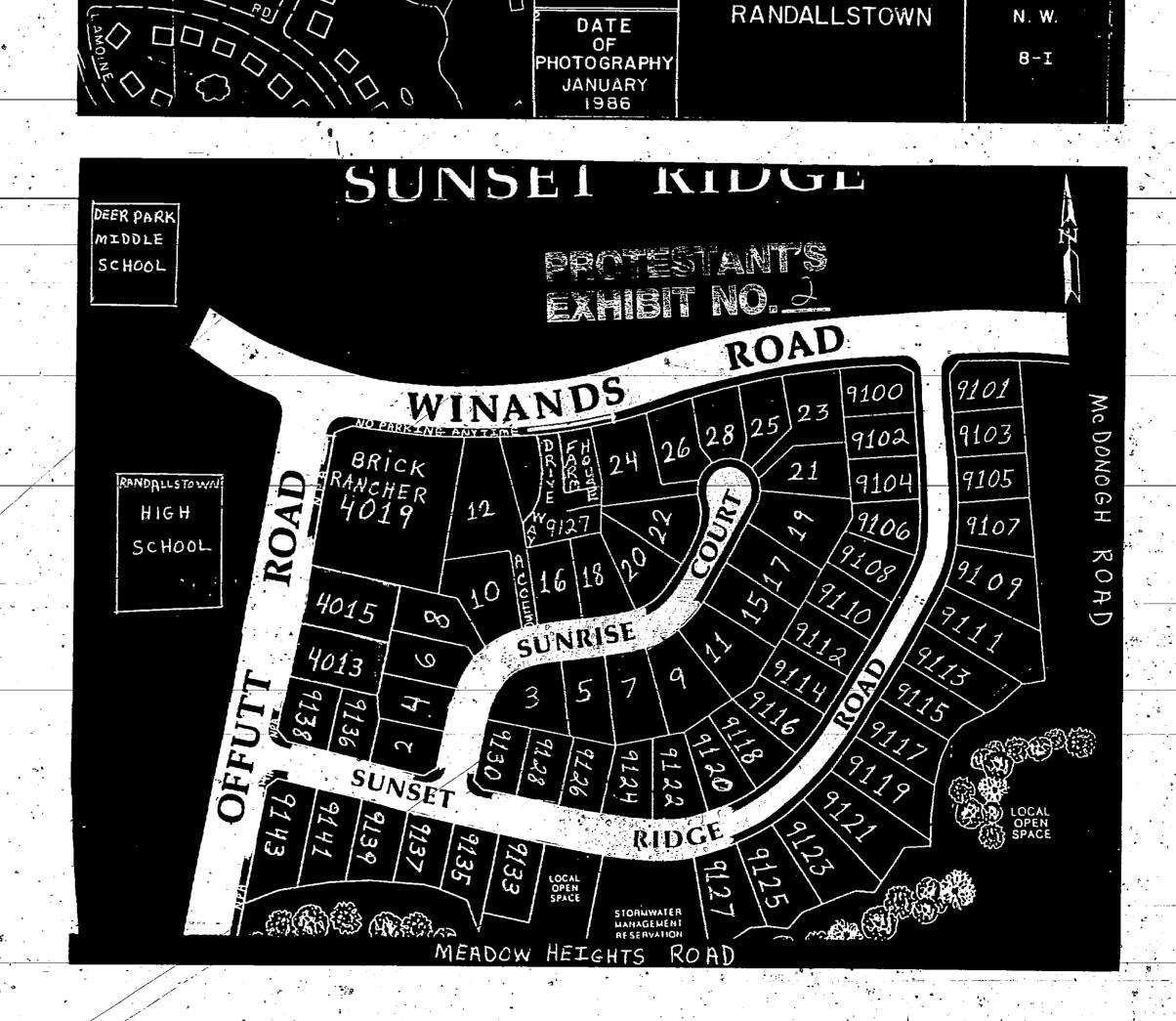








9127 WINANDS ROAD



LOCATION

RANDALLSTOWN

SHEET

N. W.

